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ART. I. *Recollections of the Life of Lord Byron, from the year* 1808, *to the end of* 1814; *Exhibiting his early Character and Opinions; detailing the Progress of his Literary Career, and including various unpublished Passages of his Works.* Taken from Authentic Documents in the possession of the Author; by the late R. C. Dallas, Esq. to which is prefixed *An Account of the Circumstances leading to the Suppression of Lord Byron's Correspondence with the Author, and his Letters to his Mother, lately announced for publication.* London. Printed for Charles Knight, Pall Mall East.

Journal of the Conversations of Lord Byron, Noted during a Residence with his Lordship at Pisa, in the years 1821 *and* 1822. By Thomas Medwin, Esq. of the 24th Light Dragoons, Author of 'Ahasuerus the Wanderer.' London. Colburn. 1824.

AS far as the title-page is concerned, the work of Mr. R. C. Dallas is a regular catch-penny publication. It is any thing but what it pretends to be; it does *not* "exhibit the early character and opinions" of lord Byron; it does *not* "detail the progress of his literary career;" it does "include various unpublished passages of his works," but they are passages which lord Byron had condemned as not worth publishing; and as to "the account of the circumstances leading to the suppression of lord Byron's correspondence," it is not an account of those circumstances, but is a very impertinent and confused mis-statement of a transaction in which the public are in no ways interested, and to which we should pay no attention were it not a public duty to expose conduct such as that of the author of the misrepresentation.

We do not intend to permit the notice of this trumpery volume, to draw us into a general comment on the character of the extraordinary person whom it was meant to defame.

We would not willingly connect such a discussion with a work so utterly worthless as the one before us; and taking care to see "execution done" on Mr. R. C. Dallas, and his son Alexander, we shall not introduce any more facts respecting lord Byron than may be just sufficient to portray, in their proper colours, the author and editor of these Recollections. Since Orrery wrote his defamatory life of Swift, and since Mr. Wyndham published Doddington's diary, in order to expose the author of that strange record of venality, we are not aware that the friends or family of any writer have deliberately set down to diminish his fame and tarnish his character. Such, however, has been the case in the work before us. We do not mean to say that such was the first object in view by the author or authors of this volume. No; their first object was the laudable motive of putting money into their purses; for it appears upon their own showing, that Mr. R. C. Dallas, having made as much money as he could out of lord Byron in his life time, resolved to pick up a decent livelihood (either in his own person or that of his son) out of his friend's remains when dead. Mr. R. C. Dallas, had, it seems, some how or the other, got into his possession some letters addressed by lord Byron to his mother; he had, also, some letters addressed by lord Byron to himself. Of these letters (connected by notes and observations) he formed a sort of memoir of the life of lord Byron, which he kept by him for some time, intending to sell it in his own life time, if he should survive lord Byron, or leave it as a legacy to his family should he die before his lordship. But it appears that Mr. R. C. Dallas could not wait for his money so long as was requisite, and that in the year 1819 he became a little impatient to touch something in his life time: accordingly, in an evil hour, he writes a long long letter to lord Byron, containing a debtor and creditor account between R. C. Dallas and his lordship; by which, when duly balanced, it appeared that said lord Byron was still considerably in arrears of friendship and obligation to said R. C. Dallas, and ought to acquit himself by a remittance of *materials* (such is Mr. R. C. Dallas's own word, in his own letter, as will be seen by and by) to his creditor Mr. R. C. Dallas. Lord Byron, however, seems to have entertained very different notions as to the nature of the account between the parties; he sent no *materials;* and Mr. R. C. Dallas could have no profitable dealings with the booksellers just at that moment; but he consoled himself with the notion, that his manuscript would be worth something at some time or other, and that either alive or dead, lord Byron would still be forced to furnish some hundreds of pounds to him or his heirs,

and thus balance the long outstanding account between them. The death of lord Byron, of course, seemed at once to promise this settlement: no sooner had he heard it, than he set about copying the manuscripts; he wrote to Messrs. Galignani at Paris, to know whether they would "*enter into the speculation*" of publishing some very interesting manuscripts of lord Byron; he set off for London; he sold the volume to a London bookseller, and "*he returned without loss of time to France.*" His worthy son has told us all this himself, at pages 94 and 95 of his volume, and has actually printed the letter his father wrote to Messrs. Galignani, to show, we suppose, how laudably alert Mr. R. C. Dallas evinced himself to be on this interesting opportunity of securing his lawful property. The booksellers, also, performed their part; they announced the "*Private Correspondence*" of lord Byron for sale; and, as it also appears by this volume, were so active as to be prepared to bring their goods to market before lord Byron's funeral. Nay, more, that they might do complete justice to Mr. R. C. Dallas's property, they contrived to announce it for publication on the very day that the remains of lord Byron were carried through the streets of London, on their way to the family vault in Nottinghamshire.

Certainly, no scheme, short of arresting the body itself, could seem better imagined for discharging lord Byron's debts to Mr. R. C. Dallas. But it unfortunately happened, that this *speculation*, as the author very properly calls it, was not so agreeable to Mrs. Leigh, lord Byron's sister, nor to lord Byron's executors, as it had been to Messrs. Galignani of Paris, and Knight of London. They thought differently of the publication of private letters; and Mrs. Leigh desired Mr. Hobhouse one of the executors, to write to Mr. R. C. Dallas to say, that she should think the publication in question "*quite unpardonable,*" at least for the present, and unless after a previous inspection by his lordship's family. Unfortunately for Mr. Dallas, it appears, according to this volume, that Mr. Hobhouse did not in this letter, state that he was lord Byron's executor; but merely appealed to Mr. R. C. Dallas's "honour and feeling," wishing probably to try that topic first; and thinking it more respectful to do so, than to threaten the author with legal interference at once. Mr. Dallas was resolved upon getting his money, and wrote a very angry letter, not to Mr. Hobhouse but to Mrs. Leigh (which his prudent son has also printed), containing menaces not unskilfully calculated to intimidate that lady, especially considering that she must have been at that moment peculiarly disposed to receive any unpleasant impressions—her brother's corpse lying yet unburied. For an author

and seller of Remains the time was not ill chosen—by a gentleman and a man, another moment, to say nothing of another style, might perhaps have been selected. But no time was to be lost; the book must be out on the 12th of July, and out it would have been had not the executors procured an injunction against it on the 7th of the same month, and thus very seriously damaged, if not ruined, Mr. R. C. Dallas's "*speculation.*" All this we collect from the volume itself, which, it should be now told, is made up in such a way as to avoid the Chancery veto, and contains probably only Mr. R. C. Dallas's portion of that work with which he originally intended to favour the public; for of lord Byron's composition there is little or nothing, except a speech in parliament printed long ago, and except some scraps of rejected poetry, which Mr. R. C. Dallas thinks himself justified in publishing now, though he takes great credit for having persuaded lord Byron to suppress them before. Ninety-seven pages of the volume are taken up with a statement of the proceedings in Chancery, which were so fatal to the "speculation." In this statement, which is written by Mr. Alexander Dallas, the son of Mr. R C. Dallas, who died before the volume could be published, it may easily be supposed that all imaginable hard things are said of those who spoiled the speculation. The executors, and lord Byron's sister, are spoken of in terms which, if noticed, would certainly very much increase those "*expenses*" of which the Rev. Alexander Dallas so piteously complains; for we doubt if any jury would hesitate to return a verdict of libel and slander against many passages which we could point out in the preliminary statement. It is probable that the animosity against lord Byron's sister and executors, has contributed, in some degree, though not altogether, to the general complexion of the Recollections themselves, which, as we have before stated, must be ranked amongst the very few specimens to be found of downright defamatory memoirs. The greater part of the Recollections, indeed, consists of very tiresome homilies and fragments from the pen of the author of Aubrey, not from that of the author of Childe Harold; but wherever mention is made of lord Byron, it is to deplore the ruin of his original disposition, the perversion of his genius, and the wickedness of his associates. Of course, therefore, the credit to be attached to these Recollections must depend, not upon the literary skill with which they may be composed (which we could settle at once by the quotation of any passage at random), but upon the character of the author or authors. We think we can decide this question, having had recourse to the best sources of information, and having been favoured with the

sight of certain documents which, without any comments, will speak for themselves.

As to the qualification of this connexion of the Byron family, and friend of lord Byron, for writing a biography of the poet, some opinion may be formed by the fact, that Mr. R. C. Dallas opens his Recollections by a passage which contains two errors. He says, "The former, whose name "was John, died at Valenciennes not long after the birth of his "son, which took place at Dover." Lord Byron's father did not die till three years and a half after the birth of his son, which did not take place at Dover, but in Holles-street, at London. The Rev. Alexander Dallas is equally well informed when he says, in page 92, speaking of the Byrons, that they are "a very ancient and honourable family, which was afterwards ennobled by James 1st." The peerage was given to the family, not by James 1st, but Charles 1st.

These mis-statements, however, are immaterial, in comparison with that made by the Rev. Alexander Dallas, in page 91 of his attack on the executors, in which we find these words:—

'For many years of his life lord Byron never saw Mrs. Leigh, and would have no communication with her; he was averse to the society of the sex, and thought lightly of family ties. This separation continued from his boyhood up to the year 1812: during the latter part of which period, Mr. Dallas continually, but fruitlessly, endeavoured to induce lord Byron to take notice of Mrs. Leigh.'

We have nothing to do with the amiable motive of this assertion. To injure the character of lord Byron, to distress Mrs. Leigh, and to show the obligations of his lordship to Mr. Dallas; all these objects are quite worthy of the "speculation;" but we fearlessly answer—the statement is untrue.

Lord Byron was taken into Scotland by his mother and father, and Mrs. Leigh was left in England with her grandmother, to whom her father had consigned her on condition that she should provide for her. They were thus separated from 1789 until lord Byron came to England; when they met as often as possible, although it was not easy to bring them together, as Mrs. Byron, the mother of lord Byron, had quarelled with lady Holdernesse. For the intercourse which did take place, the brother and sister were indebted to the kind offices of lord Carlisle.

In page 17 of the Recollections, we find Mr. Dallas (the father) saying—

'He declaimed against the ties of consanguinity, and abjured even the society of his sister, from which he entirely withdrew himself until after the publication of Childe Harold, when at length he yielded to

my persuasions, and made advances towards a friendly intercourse with her.'

That lord Byron might have dropt an unguarded opinion as to relationship in general is possible, though such an error is nothing in comparison with the atrocity of coolly recording that opinion as if it had been an habitual sentiment, which we say it was not. We say that it is *untrue* that lord Byron declaimed against the ties of consanguinity. It is *untrue* that he entirely withdrew from the company of his sister during the period alluded to. It is *untrue* that he "made advances" to a friendly intercourse with her only after the publication of Childe Harold, and only at the persuasion of Mr. R. C. Dallas. Mrs. Leigh corresponded with lord Byron at the very time mentioned, and saw him in lord Carlisle's house in the spring of 1809; after which he went abroad, and did not return until July 1811.

We speak from the same authority, when we say that what is said of lord Carlisle, though there was, as all the world knows, a difference between his lordship and lord Byron, is also at variance with the facts.

Having thus noticed and shown the value of the assertion by which the two Dallases have attempted to wound the feelings of lord Byron's sister, we shall now do the same by an assault which the reverend gentleman, the son, has made upon Mr. Hobhouse—lord Byron's friend. Alexander Dallas says, page 34, 35.

'Mr. Hobhouse was travelling with lord Byron during the time when many of these letters were written, and probably he supposes that his lordship may have often mentioned him to his mother. This seems an equally natural supposition with the other; and if it should have entered into Mr. Hobhouse's head, he would, by analogy, be equally ready to swear, not that he supposed he was often mentioned, but that he really was so. And yet, after reading lord Byron's letters to his mother, it would never be gathered from them that he had any companion at all in his travels; *except, indeed, that Mr. Hobhouse's name is mentioned in an enumeration of his suite; and upon parting with him, lord Byron expresses his satisfaction at being alone.*'

Now for the fact—When captain (the present lord) Byron had an interview with Mr. Hobhouse on the subject of these memoirs, of which interview Mr. Alexander Dallas gives a garbled account, his lordship stated to Mr. Hobhouse that he had seen the volume, and that there was only one passage which could possibly be disagreeable to Mr. H., and that even that passage, taken in connexion with what followed, could not leave any unpleasant impression. His lordship then repeated the passage to Mr. Hobhouse, and we can state that the reverend editor has men-

tioned the portion which might be likely to hurt Mr. Hobhouse's feelings, but has honestly omitted to state the explanatory addition with which lord Byron concluded his remark to his mother "that he was not sorry to be alone."

But we have it in our power to show, in a more conclusive way, the degree of faith to be attached to Mr. A. Dallas's statement. When the lord chancellor had confirmed that part of the vice-chancellor's injunction which referred to lord Byron's letters to Mr. Dallas, Mr. Alexander Dallas resolved to make another trial to obtain the consent of the executors to the publication of the volume, and he accordingly wrote a letter to Mr. Hobhouse, a copy of which is lying before us; and which, for a reason that will be obvious on perusal, was the only one of the letters that passed between the parties on this occasion that Mr. Dallas has not thought proper to publish. We give it entire, and we print in capital letters that part of it which we wish the reader to contrast with the before-quoted statement made by Mr. A. Dallas relative to lord Byron's notice of Mr. Hobhouse in his letters.

Wooburn, near Beaconsfield, Bucks, 24 *Aug.* 1824.

"SIR;—I have just read the opinion which the lord chancellor has expressed relating to the publication of the letters of lord Byron. He holds that those to my father cannot be published without the consent of the executors, while, respecting those to his mother, he has reserved his opinion until Saturday; at the same time, what he has already said upon that point makes it more than probable that the injunction will be dissolved as far as relates to them; and he has thrown out a hint which suggests, that the substance and matter of the letters to my father may be published as information without inserting the letters themselves. As there is time between this and the lord chancellor's final judgment on Saturday, I think it right to renew the negociation which had commenced through the medium of my friend lord Byron upon the subject, and which was only interrupted in consequence of *Mr. Hanson's wishing* for delay. By lord Byron you have been informed of the nature of the work as it had been prepared for present publication: he read the book, and from his personal knowledge of the parties mentioned in it, was well able to judge of the effect every part would have upon them; he stated to you, if I mistake not, that in his opinion the work contained nothing that could harm any one, and that it was calculated to raise lord Byron in the estimation of the world; his opinion is amply corroborated by the testimony given in the affidavits in the cause. If the executors withdraw their opposition to the publication, I am ready

to pledge myself that the work shall be printed exactly as he read it; and that an advertisement or notice shall be prefixed to the title-page, stating that it was published by the consent of the executors. I REMEMBER THAT LORD BYRON REMARKED UPON TWO PASSAGES IN LETTERS FROM THE LATE LORD WHICH HE THOUGHT YOU MIGHT DISLIKE. I THINK THAT WHEN TAKEN IN CONNEXION WITH THE MANY TIMES WHICH HE MENTIONS YOU THROUGHOUT THE WHOLE OF HIS CORRESPONDENCE WITH GREAT AFFECTION, THAT THEY WOULD HARDLY OCCUPY YOUR MIND A MOMENT; but as they were the only passages upon which lord Byron remarked at all in the work as it stands, I will readily agree to expunge them altogether, that it may remain as he thought it could not be disapproved of. I have no objection to submit the work to the inspection of a third person. Dr. Lushington has been named by yourself, and though I have not the least personal knowledge of that gentleman, I should be very ready to omit any passage of the letters to which he, on your part, might object.

"Should this arrangement not be made, I have no doubt that my father will act upon the chancellor's suggestion, and speedily publish a memoir of lord Byron, taken from the documents he has in his hands, and introducing, at the same time, such parts of the former manuscript, to which allusion has been made in the course of the proceedings, as he may think proper. At the same time, I confess that it would give me so much pain to see such a work published, that it would be proportionably gratifying if it could be superseded by the proposed arrangement. I shall be under the necessity of immediately writing to my father (who is in Paris not yet able to travel) upon the subject of the chancellor's opinion, and it would very much forward the arrangement I propose, if, at the same time, I were enabled to mention the result of this letter. I remain, Sir, your obedient servant,

ALEXANDER R. C. DALLAS.

J. C. Hobhouse, Esq. M. P.
6, Albany, Piccadilly.

Such was Mr. Alexander Dallas's letter to Mr. Hobhouse; and that he should, after writing such a letter, make a statement which he knew the production of that letter could positively contradict, is an instance of confidence in the forbearance of others such as we never have happened before to witness. We beg the reader to compare the words in italics from Mr. Dallas's statement with the words in capitals from Mr. Dallas's letter—and then to ask himself whether he thinks lord Byron's

reputation, or that of his relations and friends, has much to suffer or fear from such a censor as the Reverend Alexander Dallas. In the Statement, he tells the world that Mr. Hobhouse is mentioned in lord Byron's letters in the enumeration of his suite; and, in a remark, that lord Byron was satisfied at being alone. In the letter, he tells Mr. Hobhouse, that "he (Mr. Hobhouse) is mentioned throughout the whole of the correspondence with great affection."*

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* Of course such persons as Mr. Dallas and his son Alexander could have no notion, but that Mr. Hobhouse's interference to prevent the publication of the correspondence must have been dictated by some interested motive, and hence, the offer to omit any passage in the letter that might be disagreeable to that gentleman. And here we will remark, that it might have been very possible that two young men, neither of them three and twenty, travelling together, might occasionally have had such differences as to give rise to uncomfortable feelings, which one of them might communicate when *writing to his own mother;* but that it is impossible to believe, that after many years of subsequent intercourse, the writer would make a present of such letters for publication, as contained any thing to wound the feelings of him with whom he was living on terms of the most unreserved intimacy. Mr. R. C. Dallas, in his letter to Mrs. Leigh, which his son has published, asserted that Mr. Hobhouse had endeavoured to stop the forthcoming volume because he was alarmed and agitated (so he calls it) for himself—and he hints that he had reason for so feeling—as if lord Byron's letters might contain disagreeable mention of him; yet it afterwards turned out, upon the confession of Dallas, the son, that Mr. Hobhouse is "mentioned throughout the whole of the correspondence with great affection." Supposing the contrary had been the case, whose character would have suffered? Mr. Hobhouse might have been grieved, but it would not have been for himself; the indiscretion of giving (if he did give) such letters to a third person would have rested with lord Byron; but the infamy of publishing them would have belonged only to the seller of the manuscripts. We will show, in this place, another proof of the sort of moral principle which has presided over the publication in question. It answered the purpose of the editor to deal in the strongest insinuations against Mr. Hobhouse; but, unfortunately, his father had, in the course of his correspondence with lord Byron, mentioned that gentleman in very different terms—what does the honest editor do? he gives only the initial of the name, so that the eulogy, such as it is, may serve for any Mr. H * *. Mr. R. C. Dallas's words are, "I gave Murray your note on M * *, to be placed in the page with Wingfield. He must have been a very extraordinary young man, and I am sincerely sorry for H * *, for whom I have felt an increased regard ever since I heard of his intimacy with my son at Cadiz, and that they were mutually pleased" [p. 165]. The H * * stands for Hobhouse, and the M * * whom R. C. Dallas characterises here, "as an extraordinary young man," becomes, in the hands of his honest son, "an unhappy Atheist" [p. 325], whose name he mentions, in another place, at full length, and characterises him in such a way as must give the greatest pain to the surviving relations and friends of the deceased. We know of nothing more inexcusable than this conduct. In the blind rage to be avenged of lord Byron, because he would give no more money or manuscripts to Mr. R. C. Dallas, and of his lordship's

To such an appeal of mingled cajolery and menacing, no answer was, of course, given—but the precious document was preserved amongst the executor's papers, and has served to display the true character of one of the parties to the composition of the volume now under our notice. Before we part with the reverend gentleman, we would remark upon the trait of sincerity with which he concludes his letter—he expresses the pain which the publication of his father's original memoirs would give him; and yet, when he has it in his absolute power, after his father's death, to do what he will, he not only publishes that, or a most injurious portion of that, which he states would give so much pain—but he adds statements of his own, ten thousand times more offensive, and calculated (if they were not all unfounded) not only to injure the memory of the dead, but to wound the feelings of the living.

We now come to the reverend gentleman's father, and as the death of lord Byron did not prevent that person from writing what we know to be unfounded of his lordship, we shall not refrain, because he also is dead, from saying what we know to be founded of Mr. R. C. Dallas. In performing this task we are, most luckily, furnished with a list of Mr. Dallas's pretensions, by Mr. Dallas himself, in the shape of a letter written by that person to lord Byron in 1819, of which the Reverend Alexander Dallas has thought fit to publish a considerable portion. To this letter, or list of Mr. R. C. Dallas's brilliant virtues, and benefits conferred upon lord Byron, we shall oppose an answer from a person, whom neither Mr. R. C. Dallas nor his reverend son had ever dreamt could appear against them again in this world—that person is lord Byron himself. For it so happens, that although his lordship did not reply to the said letter by writing to the author, yet he did transmit that epistle, with sundry notes of his own upon it, to one of his correspondents in England. The letter itself, with lord Byron's notes, is now lying before us, and we shall proceed at once to cite the passages which lord Byron has commented upon, all of which, with one exception, to be noticed hereafter, have before been given to the public.

Mr. Dallas's letter says;

" I take it for granted, that when you excluded me from your friendship, you also banished me from your thoughts, and forgot

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executor, because he would not permit his private letters to be published; the father and son not only consign the " body, soul, and muse" of their benefactor to perdition, but extend their malediction to those whom he has recorded as being the objects of his affection and regard.

the occurrences of our intimacy. I will, therefore, bring one circumstance to your recollection, as it is introductory to the subject of this letter. One day when I called upon you at your apartments in Albany, you took up a book in which you had been writing, and having read a few short passages, you said that you intended to fill it with the characters of those then around you, and with present anecdotes, to be published in the succeeding century, and not before; and you enjoyed, by anticipation, the effect that would be produced on the fifth and sixth generations of those to whom you should give niches in your posthumous volume. I have often thought of this fancy of yours, and imagined the wits, the belles, and the beaux, the dupes of one sex, and the artful and frail ones of the other, figuring, at the beginning of the 20th century, in the actual costume of the 19th. I remember well that, after one or two sketches, you concluded with, "This morning Mr. Dallas was here, &c.;" you went no further—but the smile with which you shut the book gave me to understand, that the colours you had used for my portrait were not of a dismal hue, &c."

To which lord Byron appends this note.

"I RECOLLECT NOTHING OF ALL THIS—*but suppose that he alludes to a journal which I kept for six months, in* 1813 *and* 14, *and afterwards gave to Moore, who, I believe, still has it.*"

Thus, it appears, that lord Byron recollected NOTHING OF ALL THIS—which, however, under the hands of Mr. Alexander Dallas, has grown into a more considerable event than when described by his father. Mr. R. C. Dallas only says, "I will, therefore, bring ONE circumstance to your recollection, as it is introductory to the subject of this letter—ONE DAY when I called upon you at your apartments in Albany." But Mr. Alexander Dallas says, in page iv of his preliminary statement, "Mr. Dallas had MANY TIMES heard him read portions of a book in which his lordship inserted his opinion of the persons with whom he lived."

So that we find the "ONE circumstance" and the "ONE day" swollen into "many times." Doubtless one is as true as the other; for we have the authority of the other party for saying that lord Byron did not plead guilty to the circumstance, such as it was represented by his volunteer correspondent.

We will now proceed to another passage of this very ingenious letter.—

"It is true that I benefitted not inconsiderably by some of your works; but it was not in the power of money to satisfy or repay me. I felt the pecuniary benefit as I ought, and I was not slow in acknowledging it as I ought. The six or seven

hundred pounds paid by the purchaser of Childe Harold for the copyright was, in my mind, nothing in comparison with the honour that was due to me for discerning the genius that lay buried in the Pilgrimage, and in exciting you to the publication of it, in spite of the damp which had been thrown upon it in the course of its composition, and in spite of your own reluctance and almost determination to suppress it."

Across this passage lord Byron has written as follows.

MEMORANDUM.

TWO HUNDRED POUNDS BEFORE I WAS TWENTY YEARS OLD.

COPYRIGHT OF CHILDE HAROLD, £.600.

COPYRIGHT OF CORSAIR, £.500.

AND £.50 FOR HIS NEPHEW ON ENTERING THE ARMY; IN ALL £.1350, AND NOT 6 OR 700 AS THE WORTHY ACCOUNTANT RECKONS.

Thus it appears that the pecuniary assistance afforded to Mr. R. C. Dallas, and for which his posthumous volume shows him to have been so grateful, was not confined to the purchase money for his lordship's works; but that the honourable biographer borrowed £.200 of his young acquaintance before he was "*twenty years of age!!*" It is, indeed, much to be lamented by the Dallas family, that his lordship should have ever fallen into these evil courses which, it seems, made him forget the lessons of prudence and propriety, and the examples of decent sober life, which Mr. R. C. Dallas took care to bring before his pupil before he was *twenty years of age.*

But to go on:—Mr. R. C. Dallas's letter continues, just after the former passage, in this strain. He says that these "six or seven hundred pounds" were "nothing in comparison with the kindness that was due to me for the part I took in keeping back your Hints from Horace, and the new edition of the Satire."

Lord Byron here makes the following note:—

"THIS IS NOT TRUE—THE PUBLICATION OF CHILDE HAROLD WAS URGED, BUT NOT THE SUPPRESSION OF THE SATIRE. WHAT TOOK PLACE WAS IN 1812, TO GRATIFY ROGERS, WHO ASKED ME ON ACCOUNT OF LORD HOLLAND."

So much for Mr. R. C. Dallas's mode of acquitting his pecuniary obligation towards lord Byron. He, first of all, calls the debt 6 or £.700; it turns out to be £.1350. He then says that this sum is nothing in comparison with the kindness due to him for the part he took in keeping back the Hints from Horace. This assertion lord Byron states is NOT TRUE. We

may add, on our parts, that had it been true, the kindness would have been cancelled by the fact that Mr. R. C. Dallas has actually now published part of that which he says he had prevailed on lord Byron to suppress. The honesty and decency of this latter part of the transaction are quite in unison with the truth and delicacy, and, indeed, the wisdom of the "new way to pay old debts" adopted by Mr. R. C. Dallas. We must also be permitted to add, that lord Byron has exactly, and in one word, told the truth, as to the share which Mr. R. C. Dallas had in the publication of Childe Harold; and that Mr. R. C. Dallas has not told the truth. For he would first make lord Byron believe, and now he would make the world believe, that he was the sole encourager and cause of Childe Harold being given to the world. He did "*urge*" it when lord Byron had some doubts about it, but that he was the only person to urge it, is not true. We speak from personal knowledge of the facts.

Mr. R. C. Dallas, however, still urges upon lord Byron his merits, quite "impayables" it appears, in saving him from himself. He says,

"My head is full of you, and whether you allow me the merit or not, my heart tells me that I was chiefly instrumental, by my conduct in 1812, in saving you from perpetuating the enmity of the world, or rather, in forcing you against your will into its admiration and love; and that I afterwards considerably retarded your rapid retrograde motion from the enviable station which genius merits."

Across these passages, opposite the words "saving you from perpetuating the enmity," lord Byron has put "THE DEVIL YOU DID?" and over the words "*rapid retrograde motion*" lord Byron has written "WHEN DID THIS HAPPEN? AND HOW?"

If any comment can be considered necessary in addition to these few words of lord Byron, we would just remark as a slight inconsistency in the character and pretensions of Mr. R. C. Dallas, that whereas he in this letter gives himself so much praise, and would wipe off an obligation of £.1350 because he persuaded lord Byron against his will to publish Childe Harold —yet it seems that, according to his worthy son, "one of the last charges which he gave me upon his death-bed, but a few days before he died, and with the full anticipation of his end, was, not to let this work go forth to the world without stating his sincere feeling of sorrow that ever he had been instrumental in bringing forward Childe Harold's Pilgrimage to the public; since the publication of it had produced such disastrous effects to one, whom he had loved so affectionately."—See page 341 of the Recollections.

According to Mr. R. C. Dallas's letter, these disastrous effects had been produced when he wrote that letter in 1819, and yet at that time Mr. Dallas made a merit with his lordship for having been the man-midwife of this very poem.

Again: the other conspicuous merit of Mr. R. C. Dallas, according to himself, was his saving lord Byron from "perpetuating the enmity of the world," by causing him to suppress his Hints from Horace, and the new edition of his Satire. Yet it appears that, according to the same Mr. R. C. Dallas, those very persons from whose perpetual enmity he saved lord Byron, were the individuals whose wicked society and influence he suffered to efface all those habits of faith, both spiritual and pecuniary, which had been instilled into the mind of his lordship by Mr. R. C. Dallas before the *age of twenty.*

We have now to mention that, Mr. R. C. Dallas after the words which conclude his letter, as given by his son, namely, these words: "but my present anxiety is, to see you restored to your station in this world, after trials that should induce you to look seriously into futurity."—after these words, we find in the original letter the following—

"I have now done for the present; what say you, will you embrace my proposal? will you add any fresh materials which may justify or conciliate? and will you join zealously in the execution of my meditated design. I will now only add, that I am confident it wants but an effort of wisdom on your part, and a cordial co-operation, to effect all that one friend could wish for another. Adieu:—even though you should despise this attempt, I will not think so ill of you as to imagine that my letter, failing in its object, will have any other effect upon you, than that of making you sorry for your conduct towards me; and while I live you shall have the prayers of

R. C. DALLAS.

"My address is—Monsieur Dallas, Ste. Ardresse près de Havre, Seine Inferieure, France.

"P.S. On a reperusal of this letter, I found my mind inclining to revolt at one or two passages. The expressing a consciousness of merit of any kind, almost, if not altogether, destroys its value. No man is more sensible of this than I am; it is, besides, an insufferable weakness, one that I despise too much to be guilty of myself; but there are circumstances, which not only palliate, but call upon men to show that, however they may pass it over, they are not ignorant of their due. *I will* let my letter go, for I am certain that I have not written for the purpose of hurting your feelings: that my only

aim is what I have expressed. Short of that, I look for nothing further between us. Were that to be accomplished, your regard would accompany me for the remainder of my life and outlive me. If you are silent, and resolved in your indifference to the best objects of life, I may again be sorry, but I shall only be where I was. R. C. D."

It is quite clear from this conclusion to R. C. D's letter, in what way he intended lord Byron should look "*seriously into futurity;*" he at once asks lord Byron, having before mentioned his intended public account of his lordship's pursuits, together with a letter to lady Byron, "*will you add any fresh materials which may justify or conciliate?*" It was quite indifferent what sort of share lord Byron took in the intended publication—he might either conciliate his wife, or justify his conduct towards her; provided only he appeared in print in company with R. C. Dallas. This will be seen by every body, and it was seen by lord Byron, who, to the end of the said letter, appended what follows in verse and prose.

HERE LIES R. C. DALLAS,
WHO WANTED MONEY AND HAD SOME MALICE,
IF INSTEAD OF A COTTAGE HE HAD LIVED IN A PALACE
WE SHOULD HAVE HAD NONE OF THESE SALLIES.

THE UPSHOT OF THIS LETTER APPEARS TO BE, TO OBTAIN MY SANCTION TO THE PUBLICATION OF A VOLUME ABOUT MR. DALLAS AND MYSELF, WHICH I SHALL NOT ALLOW. THE LETTER HAS REMAINED AND WILL REMAIN UNANSWERED. I NEVER INJURED MR. R. C. DALLAS, BUT DID HIM ALL THE GOOD I COULD, AND I AM QUITE UNCONSCIOUS AND IGNORANT OF WHAT HE MEANS BY REPROACHING ME WITH UNGENEROUS TREATMENT; THE FACTS WILL SPEAK FOR THEMSELVES TO THOSE WHO KNOW THEM—THE PROOF IS EASY.

Such were lord Byron's observations upon Mr. R. C. Dallas's letter and his own conduct; and yet mark the proceedings of this aged novel-writer! He knew, as well as lord Byron, that he had received nothing but favours from his lordship; yet he deliberately sits down to write this absurd and impertinent letter; he takes a copy of it; intending, as it has turned out, if lord Byron's contempt should induce him not to answer it, to quote his letter, and state that silence as something like an acquiescence in its contents; and, he accordingly not only does embody a part of the said letter in his intended memoirs, but actually introduces it into an affidavit in Chancery, as a proof

that lord Byron was cognizant, and, by implication, did not disapprove, of Mr. Dallas's biographical enterprise. Yet here we have lord Byron's own decision on this subject, which exactly tallies with that of his lordship's executors; for he says, as before quoted—"*The upshot of this letter appears to be, to obtain my sanction to the publication of a volume about Mr. Dallas and myself*, WHICH I SHALL NOT ALLOW." Will any body, after reading this, believe, that lord Byron gave his letters to his mother to Mr. Dallas, to be published? When he here says, that he will not give his sanction to the publication of that identical posthumous volume, which Mr. Dallas told him was then "*made up*," and which, or a great part of which, was the one afterwards stopped by his lordship's executors.

Little did Mr. R. C. Dallas, or his reverend son, think, that this letter, with their injured benefactor's simple and unanswerable commentary, would rise up in judgment against them. They publish, therefore, just so much of it as they think may serve their object; they go so far as to introduce it into a Chancery affidavit; but here is the original to confound their purpose, and to show forth a portrait of ingratitude, such as has seldom, if ever, been presented to the world.

Who that reads Mr. R. C. Dallas's letter to lord Byron, but would think that his lordship had been guilty of some atrocious offence towards Mr. Dallas. But we ask—what was the offence? None—none whatever—we speak from a perfect knowledge of the intercourse between the parties, and defy the whole world to disprove the truth of lord Byron's averment, when he says, as above quoted—"*I never injured Mr. R. C. Dallas, but did him all the good I could, and I am quite unconscious and ignorant of what he means by reproaching me with ungenerous treatment.*" We repeat, lord Byron was never guilty of any offence towards Mr. Dallas, on the contrary, he "*did him all the good he could;*" yet see how his generous kindness has been rewarded—by a defamatory biography, drawn up by the very object of his benefaction—in which himself and his nearest relations, and his dearest friends, are held up to public detestation; and that, too, under the pretext of serving the cause of religion and morality. We think ourselves fortunate in having it in our power to display these persons in their proper colours, and we congratulate all those Englishmen, who feel a pride in the genius of Byron, that the first formal attack that has been made upon his fame and character, has proceeded from antagonists, who, in attempting to ruin his reputation, have only shown themselves to have been tarnished with vices, perhaps the most degrading, and in many points of view, the most pernicious of

any that afflict the human race. It is an old observation, but cannot be too often repeated, that in proportion as we hold sacred all the duties enforced by sincere religious conviction, sound morality, and a real attachment to the just laws by which society is held together and made happy, so we are in the same degree indignant at those who would make a trade of their pretensions to the exclusive possession of moral and political integrity. These persons, whose work, or rather, whose conduct we are reviewing, have tried all the common topics by which they think they may enlist the sympathy of their readers in their favour, to the prejudice of their illustrious benefactor. They have bandied about the clap-trap terms of atheism, scepticism, irreligion, immorality, &c. but the good sense, nay more, the generosity, the humanity, and the true Christian spirit of their fellow-countrymen, will reject such an unworthy fellowship. They may weep over the failings of Byron; but they will cast from them, with scorn and reprobation, detractors, whose censure bears on the face of it, the unquestionable marks of envy, malice, and all uncharitableness. Can anything be more unpardonable, anything more unfair, for instance, than for the editor of this volume (the clergyman) to take for granted, that the Conversations of Medwin are authentic, though he himself has given an example of two gross mis-statements in them, which would alone throw a doubt over their authenticity; and upon that supposition to charge lord Byron with being sunk to the lowest depths of degradation? What are we to say to this person who, at the same time that he assumes the general truth of the Conversations, makes an exception against that part of them, which represents lord Byron's dislike of the anti-religious opinions of Mr. Shelley? We ask again, what are we to say to the clergyman, who in referring to the dying declaration of lord Byron, when he said, "I am not afraid of dying—I am more fit to die than people think," comments upon it in these words:—

'So also that solitary reference to a preparation for death, when death stood visibly by his bed-side ready to receive him, which is related by his servant, and upon which I have known a charitable hope to be hung, amounts to just as much—an *assertion*"—p. 336.

Whether this passage is intended to throw a doubt over the statement altogether, or to do away with "*the charitable hope*" entertained by others, we defy all our readers to produce a similar instance of malevolent bigotry. This is betraying the "*odium theologicum*" with a vengeance. The Reverend editor *will* believe anything bad of his father's benefactor—he

will *not* believe anything good of him. When adverting to some mis-statements contained in the Conversations, he does not throw a doubt over the correctness or character of the reporter: he does just say "if they be true," but he continues to argue as if they were true, and he adduces those mis-statements as a proof that lord Byron had, amongst other lamentable changes, experienced also a loss of memory; and in another place, [p. 333] he supports his charge against lord Byron's character, by saying, "*witness the fact of his being capable of detailing such a course of life in familiar conversation to me, almost a stranger.*" It is not a fact, and Mr. A. Dallas might have known it was not a fact, but it answered his purpose to assume it as a fact, and to bring it forward as a witness to the truth of his slander—Dallas as an accuser, supported by Medwin as a witness!! Need the friends of lord Byron fear that the reputation of this illustrious man should suffer by such an attack?

We have as yet only noticed that part of the editor Dallas's charge against lord Byron, which he seems to have made by virtue of his clerical functions; namely, against his lordship's imputed irreligion: but he is not contented with asserting that lord Byron had lost all spiritual virtues, this he thinks might injure him only with one class of readers, he proceeds therefore to do his utmost to ruin lord Byron with all the remaining portion of society, by declaring roundly that his lordship had "consented to forego his title, to be called a man of honour and a gentleman" [p. 334]. This is said by the "man of honour," whose duplicity we have already exposed, by the contrast of his own counter-statements! This is said by the "gentleman" who does all but accuse the sister of his father's benefactor of swearing falsely, and adds other cruel insinuations against that lady and other persons, which he knows he may utter with impunity. If any of our readers should refer to the worthless book we are reviewing, they will perceive that this imputation against lord Byron is, as well as the others before noticed, founded on the assumption that Medwin's Conversations were really uttered by lord Byron, and uttered "without any injunctions to secrecy;" although, as we before observed, no man of the slightest decency, honour, or regard for the common rules even of controversy, would have been bold enough, not to say base enough, to take the authenticity of those Conversations at once for granted, and that too in spite of inherent evidence, noticed by the writer himself, of their want of truth.

We have to apologize to our readers for attracting their attention to the publication of Mr. Dallas and his son, whom we have dealt with rather as unworthy men, than as wretched authors.

As, however, some persons may be curious to know what qualifications, what knowledge of the writings of lord Byron, Mr. Dallas the elder could boast of, when he sat down to develop the character, and appreciate the genius of this great poet, we will turn to page 34 of the Recollections, where we find it written,

'It is not difficult to observe the workings of lord Byron's mind, in another alteration which he made (in his English Bards, &c.). In the part where he speaks of Bowles, he makes a reference to Pope's deformity of person. The passage was originally printed in the country thus:"

Then follow the lines.

'He afterwards altered the whole of this passage except the two first lines, and in its place appeared the following—

After giving the lines, Mr. Dallas adds

'I have very little doubt that the alteration of the whole of this passage was occasioned by the reference to Pope's personal deformity, which lord Byron had made in it."

And then Mr. Dallas goes on to remark very sagely upon lord Byron's susceptibility upon the subject of personal deformity, concluding thus:

'This temporary cessation of a very acute susceptibility is a phenomenon of the human mind, for which it is difficult to account; unless perhaps it be, that the thoughts are sometimes carried into a train, where, though they cross these tender cords, the mind is so occupied as not to leave room for the jealous feeling which they would otherwise excite. Thus, lord Byron, in the ardour of composition, had not time to admit the ideas which, in a less-excited moment, would rapidly have risen in connexion with the thought of Pope's deformity of person; and the greater vanity of talent superseded the lesser vanity of person, and produced the same effect of deadening his susceptibility, in the conversation to which I allude"—p. 38.

If the author of "Aubrey" had but read, or had not forgotten lord Byron's preface to the second edition of English Bards and Scotch Reviewers, he would have spared us all this fine writing, for that preface explains that "*phenomenon of the human mind, for which it is difficult to account,*" and which this poor writer has accounted for so profoundly. That preface tells us, "In the first edition of this satire, published anonymously, fourteen lines on the subject of Bowles's Pope, were written and inserted at the request of an ingenious friend of mine, who has now in the press a volume of poetry. In the present edition they are erased and some of my own substituted in their stead; my only reason for this being—that, which I conceive would

operate with any other person in the same manner—a determination not to publish with my name, any production which was not entirely and exclusively my own composition"—p. vi.

After the above specimen of the fitness of Mr. R. C. Dallas for doing what the editor, in the title-page of the Recollections, calls "detailing the progress of lord Byron's literary career," we ask, do our readers wish to hear any more of this metaphysical expounder of the phenomena of the human mind? We believe not: and we fancy that this single instance of ignorance and absurdity will show his character as an author to be exactly on a par with his credit as a man.

On Mr. Medwin's work we shall content ourselves with making just such a comment as may satisfy the world that we were not speaking at random when we expressed our disbelief in the authenticity of the Conversations which Mr. Alexander Dallas has made the basis of his charge against his father's benefactor. We flatter ourselves we shall "do the state some service" in showing how worthy a coadjutor this Mr. Alexander Dallas has called to his aid, for the purpose of blackening the character of lord Byron. This service we shall perform by simply contrasting what we know, and what we pledge ourselves to the public we know, to be facts, with the assertions contained in the Conversations.

As Mr. Medwin has been a dragoon, and as, moreover, he has recently sent a letter to England of a very warlike complexion, we suppose we must content ourselves with saying that he has mis-heard, not misrepresented, lord Byron. Certain, however, it is, that the Conversations, such as they now appear, never could have been uttered by his lordship; who, amongst his other noble qualities, was distinguished for a scrupulous regard, even in trifles, to truth.

To begin then with the beginning—

Mr. Medwin's Title-page.	The Fact.
'Conversations of Lord Byron, noted during a residence with his lordship at Pisa, in the years 1821, and 1822.'	Mr. Medwin never resided with lord Byron at Pisa, or any where else. He came to Pisa, in November, 1821; he left Pisa in March, 1822; he returned to Pisa the 18th of August, 1822, and left that place on the 28th of August. During these periods he occasionally dined and rode out with his lordship.

Mr. Medwin *makes* Lord Byron *say,*	The Fact.
'I knew very few of the Genevese. Hentsch was very civil to me; and I have a great respect for Sismondi. I was forced to return the civilities of one of their professors, by asking him, and an old gentleman, a friend of Gray's, to dine with me. I had gone out to sail early in the morning, and the wind prevented me from returning in time for dinner. I understand that I offended them mortally' —p. 15.	The invitation to the Genevese professor did not come from lord Byron; it was an imprudent liberty taken by his domestic physician, and lord Byron was not detained from the dinner-table by the wind. He staid away on purpose, saying to the doctor, "as you asked these guests yourself, you may entertain them yourself."
Mr. Medwin's Lord Byron *says,*	
'What is become of my boatmen and boat? I suppose she was rotten; she was never worth much. When I went the tour of the lake in her with Shelley and Hobhouse she was nearly wrecked, &c.'—pp. 15, 16.	Lord Byron had no boatmen. Mr. Hobhouse did not arrive at Diodati until after the tour alluded to.
Mr. Medwin *in his own person says,*	
'He always has pistols in his holster, and eight or ten pair, by the first makers in London, carried by his courier'—p. 17.	The first part of the statement is true—the second untrue—a courier carry *eight* or *ten* pair of pistols!! This courier did occasionally carry one pair of pistols.
Mr. Medwin's Lord Byron *speaks,*	
'I have been concerned,' said he, 'in many duels, as second; but only in two as principal; one was with Hobhouse, before I became intimate with him'—p. 18.	Lord Byron was never concerned in a duel in his life, either as second or principal. He was once *rather near* fighting a duel—and that was with an officer of the staff of general Oakes, at Malta.
Mr. Medwin *makes* Lord Byron *say,*	
'His description of the Georgione, in the Manfrini palace, at	Lord Byron could not mean to represent the countess Guiccioli by

	THE FACT.
Venice, is meant for the Countess' —p. 24.	his description of the female in the celebrated picture by Giorgione—for he had never seen the countess when he wrote the description. It may be as well to mention that the picture contains more than one portrait, which the Conversation-writer does not seem to have known, as also that the description is meant for the female portrait itself.
MR. MEDWIN'S LORD BYRON.	
We will put out of the question," said he 'cavalier serventeism' p. 28.	A long speech on the subject of madame Guiccioli, and on the politics of Ravenna, is put into lord Byron's mouth, the authenticity of which may be judged of by the following lists of mis-statements, which lord Byron never could have made.
'He was sixty, and she sixteen' —p. 30.	The countess Guiccioli was in her twentieth year.
'From the first they had separate apartments, and she always used to call him, Sir'—p. 30.	They had not separate apartments, and she never called her husband, Sir, but Alexander, his christian name.
'All this was not agreeable, and at length I was forced to smuggle her out of Ravenna'—p. 42.	This is not the case; the countess openly followed her father, count Gamba, fifteen days after his banishment, to Florence.
LORD BYRON *speaks in* MR. MEDWIN'S *book*.	
'But to return to the Guiccioli. —The old count did not object to her availing herself of the privileges of the country; an *Italian* would have reconciled him: indeed, for some time he winked at our intimacy, but at length made an exception against me as a foreigner, a heretic, an Englishman, and what was worse than all, a liberal'—pp. 31, 32.	The count Guiccioli was strongly and notoriously attached to the liberals himself.

Mr. Medwin's Lord Byron.	The Fact.
'Shortly after the plot was discovered, I received several anonymous letters, advising me to discontinue my forest rides'—p. 37.	Lord Byron did not receive any anonymous letter on this occasion; a placard was posted on the walls near his house, in which he was mentioned as protector of the Carbonari.
'I had a magazine of 100 stand of arms in the house'—p. 36.	Lord Byron had five or six carbines or muskets, and five or six pair of pistols, ready for his travelling service.
'They were exiled, and their possessions confiscated'—p. 37.	The writer speaks of the counts Gamba—their possessions were not confiscated.
'If they could have got sufficient proof they would have arrested me; but no one betrayed me'—p. 38.	The papal government never evinced such an intention. Cardinal Gonsalvi was always extremely well-disposed towards lord Byron.
'An event occurred at this time, at Ravenna, that made a deep impression on me. I alluded to it in *Don Juan*. The military commandant of the place, who, though suspected of being secretly a carbonaro, was too powerful a man to be arrested, was assassinated opposite to my palace: a spot, perhaps, selected by choice for the commission of the crime. The measures which were adopted to screen the murderer, proved the assassination to have taken place by order of the police.'	It did not occur at this time; it happened five months before. He was a persecutor of the carbonari, and it was suspected that he was killed by a carbonaro. The commandant was at the head of the police, and directed the police against the Carbonari.
'I had my foot in the stirrup at my usual hour of exercise, when my horse started at the report of a gun—on looking up, I perceived a man throw down a carbine, and run away at full speed, and another stretched upon the pavement a few yards from me.'	The whole of what is put into lord Byron's mouth, as to lord Byron, is a romance—the truth is as follows: It was eight o'clock in the evening—lord Byron was going into his bed-room to change his neck-cloth, in order to walk to an evening conversazione, accompanied by his servant, Battista Falsieri. He heard a musket shot, and he sent Battista to inquire the cause.

Mr. Medwin's Lord Byron.	The Fact.
	Battista went, and reported that the commandant had been killed at a little distance from the house. Lord Byron then went into the street himself, and ordered the wounded man to be carried into his house. Accordingly, Battista carried him on his shoulders, and laid him on the bed of lord Byron's valet. No one was seen to run away, but Battista found a carbine, yet warm, on the ground. Lord Byron detailed the circumstances, at the time, in a letter to his friends in England; and since the appearance of the pretended Conversations, those who were present at the scene have been questioned, and have furnished the above facts. It may be mentioned also, that in Don Juan the time of this accident is mentioned as being "*eight*" in the evening.
' "I am sorry," said he, "not to have a copy of my memoirs to shew you—I gave them to Moore, or rather to Moore's little boy, at Venice. I remember saying, here are 2000*l.* for you, my young friend" '—p. 40.	Mr. Moore had no little boy with him at Venice. Lord Byron never said, here are 2000*l.* for you my young friend—he never did fix any price which his MSS. might be likely to procure. Mr. Moore did make an observation to lord Byron upon receiving the Memoirs, which gave rise to the story that has accordingly been made part of the Conversations. After such a mis-statement of lord Byron's words on the delivery of the MSS. to Mr. Moore's *little boy,* to quote any other part of the fabrication respecting these Memoirs would give it unmerited importance.
' After the ordeal was over, we set off for a country seat of Sir Ralph's; and I was surprised at the arrangements for the journey, and somewhat out of humour to	There was nobody in the carriage that conveyed lord and lady Byron from Seaham to Hannaby, on the day of their marriage, besides his lordship and his wife.

	THE FACT.
find a lady's maid stuck between me and my bride. It was rather too early to assume the husband; so I was forced to submit, but it was not with a very good grace' —pp. 47, 48.	
LORD BYRON *in* MR. MEDWIN'S *book*.	
'We had a house in town, gave dinner-parties, had separate carriages, and launched into every sort of extravagance. This could not last long. My wife's 10,000*l.* soon melted away," &c.—pp. 49, 50.	Lord and lady Byron did not give dinner-parties; they had not separate carriages; they did not launch out into any extravagance. The whole of lady Byron's fortune was put into settlement, and could not be melted away.
'Imagine my astonishment to receive, immediately on her arrival in London, a few lines from her father, of a very dry and unaffectionate nature, beginning, "Sir," and ending with saying, that his daughter should never see me again'—p. 51.	It was not on lady Byron's arrival in London that Sir R. Noel wrote the letter to lord Byron. It was on lady Byron's arrival at Kirby-Mallory in Leicestershire, that her father wrote to lord Byron. Sir Ralph's letter was a long letter, not a few lines, and it began, "My Lord," not "Sir." It was dated Feb. 2, 1816.
'All my former friends, even my cousin, George Byron, who had been brought up with me, and whom I loved as a brother, took my wife's part. He followed the stream when it was the strongest against me, and can never expect any thing from me. He shall never touch a sixpence of mine' —pp. 61, 62.	The will, in which Captain George Byron was not bequeathed any of his cousin's property, was made in July 1815, long before the separation of lord and lady Byron.
'I had been shut up in a dark street in London, writing (I think he said) the *Siege of Corinth*'—p. 55.	At the time here alluded to, lord Byron lived at No. 13, Piccadilly, looking into the Green Park. The conversation writer calls this a DARK street.
MR. MEDWIN *makes* LORD BYRON *say*,	
'I was abused in the public	Lord Byron was never hissed as

	THE FACT.
prints; made the common talk of private companies; hissed as I went to the House of Lords; insulted in the streets," &c.—p. 62.	he went to the House of Lords; nor insulted in the streets.
MR. MEDWIN'S LORD BYRON.	
'The Examiner was the only paper that dared say a word in my defence.'	The Examiner was not the only paper that defended lord Byron. The Morning Chronicle was a zealous advocate of his lordship; and Mr. Perry, the editor, had a personal altercation with Sir R. Noel on the subject.
'I had my wife's portion to repay, and I was determined to add 10,000*l.* more of my own to it, which I did'—p. 64.	This is altogether contrary to the fact, as those who witnessed the deed of separation between lord and lady Byron can testify.
'I lost my father when I was only six years of age'—p. 72.	Lord Byron was born in January 1788, and his father died in August 1791; so that lord Byron was only three years and a half old when his father died.
'It was very different from Mrs. Malaprop's saying, "Ah, good dear Mr. Malaprop, I never loved him till he was dead'—p. 73.	Mrs. Malaprop's words are very different; and lord Byron was singularly accurate as well as apposite in his quotations. The pretended conversation makes him neither one nor the other.
'He ran out three fortunes, and married or ran away with three women'—p. 74.	Lord Byron's father did not run out *three* fortunes, nor marry or run away with *three* women.
'My love for it (Scotland) however was at one time much shaken by the critique in the Edinburgh Review on the *Hours of Idleness,* and I transferred a portion of my dislike to the country.' Mr. Medwin adds this note.—'He wrote about this time the *Curse of Minerva,* in which he seems very closely to have followed Churchill'—pp. 77, 78.	The review on the *Hours of Idleness* appeared in 1808—9. The *Curse of Minerva* was written and printed in 1812. The occasion of the poem was, the mutilation of the Parthenon, which lord Byron had himself seen, and which, but not a dislike to Scotland, gave birth to the *Curse of Minerva.*

Mr. Medwin's Lord Byron.	The Fact.
'I afterwards established at the Abbey a new order. The members consisted of twelve, and I elected myself grand master, or abbot of the skull, a grand heraldic title. A set of black gowns, mine distinguished from the rest, was ordered, and from time to time when a particular hard day was expected, a chapter was held; the crane was filled with claret, and in imitation of the Goths of old, passed about to the gods of the consistory, whilst many a prime joke was cut at its expense'—pp. 88, 89.	This story was told in a magazine or newspaper of the day on some slight foundation—but the details here put into lord Byron's mouth are all untrue. Lord Byron did not establish the order, or ever call himself abbot of the skull—they were not twelve or indeed any regularly-named members of any order—some dresses were sent from a masquerade warehouse, but not *black*—no *chapter* was held or talked of—the dresses were never put on more than once or twice—and many a prime joke was *not* cut at the expense of the skull. Those who knew lord Byron will detect at once the vulgarisms of the pretended conversation. The story as dressed up for sale is a fiction.
'An order was issued at Zanina by its sanguinary Rajah, that,' &c. —p. 119.	A long circumstantial story is here told by the pretended lord Byron, which is detected at once by one word. The real lord Byron could never have talked of the *Rajah* of Zanina (Joannina). In Hindostan a Rajah is a prince, in European Turkey a rayah is a tributary subject. Those, indeed, acquainted with lord Byron's style of conversation, would, without this silly blunder, detect the imposition at once.
'When I was at Athens, there was an edict in force similar to that of Ali's, except that the mode of punishment was different, it was necessary, therefore, that all love affairs should be carried on with the greatest privacy. I was very fond at that time of a Turkish girl—ay, fond of her as I have been of few women'—pp. 121, 122.	This story immediately follows the other, and is got up with similar accuracy; no other contradiction is necessary than to mention, that the girl whose life lord Byron saved at Athens, was not an object of his lordship's attachment—but of that of his lordship's Turkish servant.

Mr. Medwin's Lord Byron.	The Fact.
'The severest fever I ever had was at Patras; I had left Fletcher at Constantinople, convalescent, but unable to move through weakness,' &c.	Lord Byron left Fletcher at Athens, and not at Constantinople.
'My real Vampyre I gave at the end of Mazeppa, something in the same way that I told it one night at Diodati, when Monk Lewis and Shelley and his wife were present. The latter sketched on that occasion the outline of her Pygmalion story, the modern Prometheus'—p. 149.	The conversation said to have been held at Diodati is fictitious.—With the exception of Mr. Lewis, no one told a tale, and Mrs. Shelley never saw the late Mr. Lewis in her life. The Preface to Frankenstein shows that that story was invented *before* lord Byron's and Mr. Shelley's tour on the Lake, and Mr. Lewis did not arrive at Diodati till some time *after*.
'The Italians think the dropping of oil very unlucky. Pietro (count Gamba) dropt some the night before his exile, and that of his family, from Ravenna'—p. 152.	Peter count Gamba did no such thing.
'I will give you a specimen of some epigrams I am in the habit of sending Hobhouse, to whom I wrote on my first wedding-day,' &c.—p. 155. 'He [Mr. Hobhouse] was present at my marriage'—p. 416.	Mr. Hobhouse was with lord Byron on his wedding-day: his lordship could not write to him on that day. This fiction is the more unlucky, as the Conversation-writer afterwards mentions, that Mr. Hobhouse was with lord Byron on the day alluded to.
'And another on his sending me the congratulations of the season, which ended in some foolish way like this: '"You may wish me returns of the season, Let us prithee have none of the day."' p. 156.	Mr. Hobhouse never wrote any such letter, nor lord Byron any such answer.
'I might have claimed all the fortune for my life, if I had chosen to have done so, but have agreed to leave the division of it to lord	Lord Byron could not have claimed all lord Wentworth's fortune for his life, at lady Noel's death. He had before, at his se-

	THE FACT.
Dacre and sir Francis Burdett" —p. 162.	paration from lady Byron, agreed to a division of it. What was referred to sir F. Burdett and lord Dacre, was, *how* the property should be divided.
MR. MEDWIN *in his own person.*	
'I afterwards had reason to think that the ode was lord Byron's; that he was piqued at none of his own being mentioned, and after he had praised the verses so highly, could not own them'*—pp. 167, 168.	The truth has been already discovered respecting this ode on the death of sir John Moore, and those who knew lord Byron will appreciate the vulgar speculation as to the reason of his concealing his being the author of the poem.

* I am corroborated in this opinion lately by a lady, whose brother received them many years ago from lord Byron, in his own hand-writing.

MR. MEDWIN'S LORD BYRON *says,*	
'Murray published a letter I wrote to him from Venice, which might have seemed an idle display of vanity; but the object of my writing it was, to contradict what Turner had asserted, about the impossibility of crossing the Hellespont from the Abydos to the Sestos side, in consequence of the tide. One is as easy as the other; we did both'—pp. 168, 169.	Lord Byron did *not* do both, he only swam from the Sestos to the Abydos side.
'We were to have undertaken this feat some time before, but put it off in consequence of the coldness of the water'—p. 170.	Lord Byron and Mr. Ekenhead did undertake this feat some time before—they did not "put it off" in consequence of the coldness of the water—they *gave it up* in consequence of the coldness of the water, when about half over the strait. If the Conversation-writer had read the note to lord Byron's lines written to commemorate this exploit, he would not have framed this conversation in this way.

Mr. Medwin's Lord Byron.	The Fact.
'I remember being at Brighton many years ago, and having great difficulty in making the land—the wind blowing off the shore, and the tide setting out; crowds of people were collected on the beach to see us. Mr. —(I think he said Hobhouse) was with me; "and," he added, "I had great difficulty in saving him" '—pp. 170, 171.	In 1808, lord Byron was swimming with the *Hon. Mr. Lincoln Stanhope.* Both of them were very nearly drowned; but lord Byron did not touch Mr. Stanhope; he very judiciously kept aloof, but cried out to him to keep up his spirits. The by-standers sent in some boatmen with ropes tied round them, who at last dragged lord Byron and his friend from the surf, and saved their lives.
Mr. Medwin *says, in his own person,* '"I cannot resist presenting the public with a drinking song, composed one morning, or, perhaps, evening, after one of our dinners. "Fill the goblet again, for I never before "Felt the glow—that now gladdens my heart to its core." pp. 193, 194.	It will hardly be believed, but it is true, that this drinking song, which the writer cannot resist "presenting the public with," as being written by lord Byron one morning, or perhaps one evening, (conscientious alternative) after one of *our* dinners at Pisa, was presented to the public just as far back as 1809. The song is printed in a volume of miscellanies, edited by Mr. Hobhouse, to which lord Byron was a contributor, under the signature L. B. If this be not sufficient to stamp the true character of these Conversations, perhaps the next specimen may; it is, if possible, more astonishing.
'"*The leprosy of lust,* I discover, too, is not mine. *Thou tremblest —'tis with age, then*"—which I am accused of borrowing from Otway, was taken from the Old Bailey proceedings. Some judge observed to the witness, "Thou tremblest;" "'Tis with cold, then," was the reply.'—p. 209.	Who does not know that this famous speech, which the Conversation-writer made his lord Byron say, was made in the Old Bailey —was uttered by "*Bailly,*" the Mayor of Paris, on his way to the scaffold? That the real lord Byron should make so ludicrous a blunder is morally impossible.
'"My differences with Murray are not over. When he purchased "Cain," the two "Foscari," and	Mr. Murray has already shown that lord Byron could not have made this statement. For that Capt. Medwin did *not* witness the deed alluded to, and that the deed, when inspected, was found to con-

Mr. Medwin's Lord Byron,	The Fact.
"Sardanapalus," he sent me a deed which you may remember witnessing. Well, after its return to England, it was discovered *that it contained a clause which had been introduced without my knowledge, a clause by which I bound myself to offer Mr. Murray all my future compositions*"'—p. 258.	tain no such condition as that mentioned by the Conversation-writer. The publisher was more sagacious than the writer, and would not insert the passage in Italics which contained a statement so easily contradicted, but he gave them to Mr. Murray on that gentleman's application, and it is to him that the public are indebted for the detection of this fabrication.
'"My second canto of "Childe Harold" was then just published"' —p. 323.	The framer of the Conversations does not seem to have recollected that the first and second canto of "Childe Harold" were published together, and never appeared separately.
Mr. Medwin *says, in his own person,*	
'"Her brother accompanied him to Greece, and his remains to England."'	Count Peter Gamba *did not* accompany lord Byron's remains to England.
'It required all lord Byron's interest with the British envoy, as well as his own guarantee, to protect the Gambas at Genoa. But his own house ceased at length to be an asylum for them; and they were banished the Sardinian states, a month before he sailed for Leghorn—p. 361.	The Counts Gamba were never banished from the Sardinian states.
Mr. Medwin's Lord Byron.	
'"I have received, said he, from my sister, a lock of Napoleon's hair, which is of a beautiful black"' —p. 361.	The *lock* of hair sent by Mrs. Leigh was just eight hairs, half an inch long, and all the hairs were either white or of a grisly gray.
Mr. Medwin *in his own person,*	
'During the time that the examination was taking place before the police, lord Byron's house was be-	Lord Byron's house at Pisa, on the occasion alluded to, was not beset by dragoons, nor by any sol-

	THE FACT.
set by the dragoons belonging to Signor Major Mazi's troop, who were on the point of forcing open the doors, but they were too well guarded within to dread the attack.	diers or police-men, and no attempt was made to force his doors.
Lord Byron, however, took his ride, as usual, two days after—p. 381.	Lord Byron went out riding one day—not *two* days after.
'An order was issued for them to leave the Tuscan states in four days; and on their embarkation for Genoa'—p. 382.	The counts Gamba did "not embark for Genoa," they rode to Lucca. This opportunity may be taken of stating, that count Peter Gamba, who is now in London, denies the accuracy of the statements respecting his family; and declares that lord Byron could not have uttered the conversation imputed to him on that subject.
MR. MEDWIN *puts in* LORD BYRON'S *mouth,*	
'"Since I have been abroad I have received many civilities from the Americans. Amongst the rest, I was acquainted with a captain of one of their frigates, lying in the Leghorn Roads, and used occasionally to dine on board the ship"' —p. 406.	Lord Byron did not "*dine occasionally*" on board any American ship at Leghorn—he breakfasted once on board the Constitution frigate.
'"Since you left us," said lord Byron, "I have seen Hobhouse for a few days,"' &c.—p. 415.	It is impossible that lord Byron should have told capt. Medwin that he had seen Mr. Hobhouse at the time alluded to; that is to say, in August. 1822. Mr. Hobhouse did not arrive at Pisa nor see lord Byron until the 15th of September, 1822, after which time capt. Medwin, according to his own statement, never saw lord Byron, for he arrived at Pisa on the 18th of August, and left it on the 28th of that month; and when Mr. Hobhouse arrived at Pisa, captain Medwin was gone. It will be in vain to say that there has been a
MR. MEDWIN *speaking in his own person, says,*	
'"On the 28th of August I parted from lord Byron with in-	

CAPT. MEDWIN'S LORD BYRON,	THE FACT.
creased regret and a sadness that looked like presentiment."'—p. 422.	slip of the pen or the press, and that for the 28th of August, should be read the 28th of September, for lord Byron quitted Pisa on the 22nd or 23rd of that month, the day after Mr. Hobhouse. So that the whole of this conversation must be a pure fiction, and must have been invented for the sake of making it appear that lord Byron was in the habit of talking confidentially with Mr. Medwin respecting his private friendships.

It has been contrived, even in the Appendix, to preserve the character of the work itself; for, in making an attempt to correct a statement in the Funeral Oration on lord Byron, the editor has shown an ignorance equal to that of the author of the Conversations. The Oration says of lord Byron—"*Born in the great capital of England.*" To which remark this note is appended, at p. 536 of the volume—"This translation is by a Greek at Missolonghi, from the original modern Greek gazette. No alterations have been made though a few suggest themselves, one of which is, that lord Byron was *not* born in London."

Lord Byron *was* born in London, in Holles-street, as we have already stated.

Descending from the author to the editor, and from the editor to the publisher of this volume, we feel inclined to remonstrate with the latter respectable personage for not contriving to make a book (an art in which he ought to be an adept) without taking an entire article from the third number of our Review, equivalent in length to one-fourth of the whole Conversations. A little more invention on the part of the Conversation-seller, and a little more liberality on that of the Conversation buyer, would have rendered such an expedient unnecessary; and as we like to choose our own company, we really must protest against being forced to hunt in couples with Mr. Colburn's authors. We trust that this is the last time we shall have to complain of such a disagreeable connexion.

In concluding our comments on the pseudo-biographers of lord Byron, we must confess that we have been obliged to adopt a mode and style of criticism extremely uncongenial to our inclinations, as well as foreign to the purpose of that species of publication which we have undertaken to conduct. It is our

business to review the works and public conduct of our contemporaries, not to enter into investigations which require a reference to their domestic history. But when an author garbles a series of letters, or becomes in any way an inventor, rather than a narrator, of biography, he is to be dealt with rather as an informer than as a writer. This can be done only by the production of such documents as he may have suppressed, or by the citation of such facts as ought to be contrasted with his fictions. There is no other corrective for spurious biography, and if those who can, and who alone can, destroy the credibility of that pernicious species of imposture, refrain from so necessary an exposure, the character of celebrated men, as well as the happiness of their associates, will henceforth be at the mercy of any pretended historian of their private life; and the justice of the living will no longer extend its protection to the memory of the dead.

Just as we write the concluding line of this article, appears Mr. Southey's furious epistle, which we are sorry for—because it so happens that we have been in the habit of thinking the laureate not utterly destitute of all the qualities which are requisite for civil and social life. But what excuse can we make for this letter? We have before said, that nothing can be more unpardonable than the taking Medwin's Conversations for authentic, merely for the sake of founding on them a charge against lord Byron; with this feeling (in which we are sure every impartial man in the kingdom will sympathize with us) we need not say what we think of Mr. Southey's conduct on this occasion. That Mr. Southey might fairly refute assertions put into the mouth of lord Byron we do not deny; but that he should make that denial the pretext for a formal and most unmeasured invective against his deceased antagonist, was not to be expected, except from a person, in whose breast the jealousy of a rival, and the rancour of a renegade, had silenced every humane and generous feeling. We did not suspect that, in spirit, Mr. Southey would ever shew himself of the hare species,

"Whose valour plucks dead lions by the beard;"

and with this specimen of posthumous animosity, we will contrast the conduct and sentiments of lord Byron himself, as displayed in a circumstance with which we are personally acquainted. When lord Byron transmitted his first manuscript of Don Juan to England, it was found that it opened with a long dedication in XII stanzas, to Bob Southey, in which the laureate was handled with no little severity. His lordship's correspondent recommended the omission of the dedication, upon grounds which his lordship did not perhaps think were tenable; but he did consent to leave out the stanzas, when he altered his mind

as to putting his name to the poem, and he wrote the following direction opposite to the lines to be erased :—

"*As the poem is to be published anonymously,* OMIT *the dedication. I wont attack the dog in the dark; such things are for scoundrels and renegadoes like himself.*"

Lord Byron thought himself deeply injured by Mr. Southey, and he had otherwise an antipathy for the laureate, which he took no pains to conceal; but he still thought, it seems, that all modes of attack were not allowable even against this object of his aversion. In this particular Mr. Southey has certainly shown himself much less scrupulous than his lordship, and, unless we think much better of the laureate than he deserves, the time will come when he will be heartily ashamed of this pitiful insult over the ashes of the illustrious dead.

ART. II. *De la Monarchie Française, au* 1 Janvier, 1824. Par M. le Comte de Montlosier. 1 vol. 8vo. 1824. Paris.

POPULAR revolutions are generally marked by two distinct and interesting stages : that of eagerness and enthusiasm which violently destroys the abuses of the past—that of maturity and reflection which seeks securities for the future. But the second epoch does not always follow closely upon the first. The excitement which tears up the influence of despotic power is little fitted for the sober consolidation of political improvement; and it often has happened, when the first energetic popular impulse is exhausted, that old tyranny and misrule again step in to re-occupy the throne from which they had been hurled. Yet, whatever may have been the issue of many attempts to ameliorate the situation of the people, it cannot, we think, be doubted, that the prodigious strides which civilization and knowledge have made, and continue to make; the glorious conquests which reform has already obtained in so great a part of the Christian world; are the promises and the pledge that those institutions, whose object is the production of the greatest sum of human happiness, must, at last, be firmly and fixedly established. Meanwhile it is curious and instructive to watch the events which seem to oppose themselves to the advancing welfare of mankind.

France, by the vast effort of her revolution, rid herself of the great mass of abuses which ages had gathered round her profligate and despotic monarchy; and there was a time when it was fondly hoped, that as much wisdom would be found to build up a good government, as there had been boldness to put down a

bad one. That hope has been destroyed, or at least deferred, and the seeming tendency of things towards the complete re-establishment of despotism has induced its advocates to proclaim their intentions openly—for our edification, and, we trust, their discomfiture.

With the fanatics, who in their zeal for proselytism would devastate the land with fire and sword; with the corruptionists, who are at the beck of any who will pay the price of their subserviency; and with the careless, to whom the woe or weal of millions is wholly indifferent, we have nothing now to do. M. Montlosier belongs to none of these. He has written volumes in favour of the nobles, in which he has never concealed for a moment, the alarm he feels, at the prodigious influence which the people, and especially the middle ranks, have obtained in society. He does not perceive that this is a necessary and happy consequence of advancing civilization, but places himself in the situation of a feudal lord of the middle ages, and deems the power of the intellectual classes only a piece of insolent usurpation, which must be subdued and destroyed. "The people—the tyrant people," he exclaims—"have enslaved their masters;" and this, merely because the cataracts which darkened the vision of an ignorant age have been removed from a more intelligent one. The prerogatives and privileges and factitious dignities which the proud few had wrested from the prostrate many, have been tried in the balance of reason and have been found wanting. M. Montlosier insists on their being weighed again in the false scales of ancient delusion. It will not do—man is grown wiser.

The overthrow of the hereditary aristocracy was among the greatest blessings which the revolution bestowed upon the people of France; and that overthrow was complete. The long existing prejudices, which respected and supported the distinctions of ancestral dignity, gave way to the impatience created by their despotic influences, and the inquiries which looked into their utility. The power which was held by the nobles could not resist the greater power of public opinion; and the fancied prerogatives which, in other days, were maintained by sword and buckler and weapons of war, are now compelled to descend into the arena of discussion—there to wait the result of an intellectual instead of a fiercer combat. We are well pleased to hear what one of the gifted advocates of the privileged class has to say in favour of himself and his race.

It is one of the well known and long practised, but not always detected, arts of sophistry, to avoid every thing precise and de-

fined, and to deal only in those misty generalities, those imperfect meanings, which assume no tangible form. The burthen of M. Montlosier's song is *aristocratic distinction.* It now takes the shape of a baronial parliament; now of the *états generaux;* now the despotism of Louis 14th. He wants one of these for modern France; but does not know how to choose between their equal beauty, and he may well be perplexed. One third of his book is designed to show how France is to be saved from her democratic dangers; and his advice may be comprised in three words, though spread over much of a volume—"Re-create the nobility." He might have said as wisely, "Bring back yesterday."

It is not very difficult to write a book without a plan and without a definite object; but it is difficult to bring criticism to bear on a series of generalities thrown confusedly together, and having little to connect them. M. Montlosier's book is divided into three parts; 1st, On the present state of France; 2nd, On the difficulties which are generally supposed to attend the establishment of order in France, and the means taken by the government to surmount them; 3rd. On the means of surmounting the difficulties arising from the present state of France. We shall not follow in his footsteps, but shall examine the leading principles of his book under the following heads: *free and representative government—royal power—nobility—middle classes, and influence of the clergy.*

Liberty is a most convenient word to be used for despotic purposes. It admits of any definition which it may suit him who employs it to adopt. "Our fathers," says M. Montlosier "enjoyed liberty in its fullest extent." *Our fathers,* too, is comfortably vague. Does he mean the *Franks,* when dividing the spoils of a conquered land, and imposing their will upon a chief whom the bandits called their king? or the *Leudes,* who tore the crown from the Merovingian race, to place it on the head of the *Pepins,* but who fell into discredit when Charlemagne sought the support and won the affections of the people. We would ask this man of legitimacy whether his *fathers* were those who overthrew the race of Charlemagne, condemned his successors to a cloister, and called Hugh Capet to rule, with these remarkable words: "C'est nous qui t'avons fait roi." Were his fathers the serfs liberated by Louis le Gros; the burghers summoned to the first states-general by Philip le Bel? Were they the men, whom to shoot from the windows of his palace was the amusement of Charles the 9th; or those whom Louis the 14th, governed in full parliament, with his whip in his hand, and the great truth on his lips, "L' état c'est moi."?

Indeed, an advocate for old abuses must be sadly perplexed by the abominations of monarchical and aristocratical pretensions. "Before the revolution," says our author, "there existed in France an absolute power, which momentarily may have been necessary, but which, if durable, was not legitimate"—a pretty sufficient apology for every atrocity. But surely M. M. should have drawn the line which divided the lawful from the unlawful authority; if he will invoke the past (and we wish most cordially, that the invocation of the past, as a model for the future, were left only to such as he), he should tell us, when absolute power ceased to be legitimate. The states-general, as representatives of popular opinion, were an idle mockery; and, when they became extinct, scarcely a voice was heard to complain of their suppression. They had the right to complain, and the monarch had the same right to turn their complaints to scorn; but they were, perhaps, all sufficient in M. M.'s eyes, who declares that, "let legislative assemblies, in France, be what they may, they are nothing more than great state councils." If, in order to make out a right to be well governed, it were necessary to show that this statement is unfounded, we might easily prove its incorrectness, by twenty examples of opposition to the royal will. Even some of the old formulas, "Nous ordonnons, nous voulons" —"La loi est faite par la volonté du peuple et le consentiment du roi," speak something like popular language. The people have had a few triumphs which are consoling to dwell upon, amidst the darkness and desolation of long-enduring tyranny: though we willingly own, that the period in the political history of Europe, which humanity and philosophy may dwell on with unmingled satisfaction, is yet to come.

"In the modern times of our old regime" says M. M., "though among the states-general there was a chamber of the nobility and of the clergy, and it has been the custom to consider such chambers as aristocratic, it is erroneous to suppose they were really so: they were, in spite of their name, a democracy with all its appendages." Some curious specimens of this sort of democracy may be found in their discussions with the *tiers état*, the third order, who humbly supplicated to be deemed the younger sons of a country, to whose nobility and clergy they gave the title and the rank of primogeniture and heirship. When, in 1614, the president of a deputation of the *tiers état*, addressed the nobles in the accustomed language of humility, "Treat us as your younger brothers, and we will honour and love you," and this, too, when, to use a proverb of the time, nothing was left to the younger brothers but their cloak and sword (*la cape et l'epée*), the claim was not a very onerous one; yet the

pride of the nobles was roused to violent indignation, and their president addressed the monarch in the following words: "I never thought to report to your majesty all that antiquity has taught us of the pre-eminence which birth has given to our order; how we are distinguished from the rest of the people, so that no sort of comparison can be suffered between us. The *tiers état*, holding the lowest rank in this assembly, an order, composed of the people of the towns and country, almost all owe homage and obedience to the two first orders; the people of the towns, the burghers, shopkeepers, artisans, and some officers are they, who, forgetting all their duties, without consulting those they represent, would compare themselves to us. I am ashamed, Sire, to report to you the language which has again insulted us. They compare your state to a family of three brothers; they call the ecclesiastical order the eldest; ours the next; and themselves the youngest. In what a miserable condition are we if this be true. Is the nobility" continued he "so sunk as to be blended with the vulgar in the strictest bonds of society —those of fraternity? Judge, Sire, and by a declaration full of justice, bid them return to their duty, own whom we are, and the difference there is between us." This is, indeed, democracy with a vengeance!

M. Montlosier does not hesitate to consider the doubling the *tiers état*, which took place in 1789, as a crime of *lèse-noblesse*. Yet, even here, his passion for antiquity must be sometimes at fault; since in 1357, for instance, every province sent one deputy for the nobles, one for the priests, and three for the people. He calls the present constitution of the chamber of deputies of France, "a *contresens*, for it was so arranged that its elements were found either in the body of small proprietors, or in the industrious professions." This is to be sure very mischievous, but the last election law of France, which gave a double vote to the wealthy electors, might console him. In truth, the removal of all popular control over the representative body, has rendered the political condition of the French nation far less tolerable than it was in 1789. Our author does not quite like the upper chamber in France, because "its roots are not in ancient institutions and manners;" and yet even on these he would suggest a few improvements: it should be the highest court of justice; a court of revision; a court of surveillance; a court of cassation. A little confusion might follow; but it would get *power*, irresponsible power, which is the grand desideratum.

It is not a little amusing to hear from M. Montlosier, that "England has at all times modelled herself on France, and has borrowed her laws, her customs, her manners, and her institu-

tions." Poor country of ours! thou hast borrowed of a bankrupt, and the sooner thou art rid of this creditor the better. One great debt, indeed, we owe to our neighbours; the feudal system of the Normans; a system, out of which has grown the aristocratical influence of the English nobility, and almost every species of misrule, over which popular opinion has ever triumphed, or which popular opinion has been hitherto unable to control.

In discussing the subject of *royal authority* and of *nobility*, vagueness is every where obvious in M. Montlosier's writings. In the endeavour to conciliate the power of a feudal aristocracy with the despotic rule of an absolute monarch, he is amusingly perplexed; and, driven from the difficulties of the one to the no smaller difficulties of the other, he has no resting-place short of an undisguised, unqualified, and ever prominent, hatred of the middle classes. Their intelligence; their activity; their virtues, he finds in every direction opposed to those aristocratic pretensions, to which every thing else must at all events be sacrificed. If the middle class can be crushed, whether by a sovereign nobility, or a despot monarch, he is indifferent to the rest. It is well to know that the curvetting steed feels the bridle. May it be held with a firm hand!

"In reality," quoth M. Montlosier, "there can be in France no government but that of the king, that is, the monarchy;" and then he becomes enraged that "a pretended division of powers should be recognized in all the writings, all the discourses, not only of revolutionary levellers, jacobins, and *doctrinaires*, but even of men distinguished for their sound principles and devotion to royalty"—he snubs the Brazilian emperor (degenerate one!) for hinting at "such a division;" reprimands Montesquieu for saying that *if* power be divided in England—most excellent *if!* it ought to remain so; but is consoled by remembering and proclaiming that in France, at least, a king is a king. "He may hold a council, but he is in all, and for all, the only power." Surely this might have satisfied M. de Montlosier What more would he have? He has discovered that among the anti-monarchical heresies which have obtained currency in this demoralised world, one is, that a prepossession, or prejudice in favour of absolute power, is not quite the same thing as a conviction resulting from the evidence of positive good conferred by it. "The prepossession" he declares "is the positive good." Dextrous illusion! but what will become of the monarchy when the prepossession passes away? Realities alone are proof against vicissitude: interest-begotten prejudice, and authority-begotten prejudice, are tottering and insecure foundations. The

child is not trained to wisdom by fables and fairy tales alone. The prepossessions so dear to M. Montlosier are the fables and fairy tales of nations; but nations are not always children. The idle story has already lost half its magic virtue: but if the friends and advocates of irresponsible power, will be satisfied with the prejudices which time has gathered together in its favour, let them make the most of them. The people are beginning to demand security against misrule; M. Montlosier requires securities against the influence of the people. "There must be a rampart around power," he says, "but no rampart against it." We hinted at the dilemma in which M. M. sometimes finds himself between two absolute authorities. He says, with great naïveté, "The progress of civilization which has destroyed a portion of the power of the nobility, in detaching them from their fiefs, has evidently strengthened it as a lustre, by attaching it to the lustre of royalty. I shall explain myself, in an exaggerated way, by relating an anecdote of a distinguished Frenchman, who, at a northern court, had visited a disgraced minister. He was reproached for it, and excused himself on the ground of the respect due to a great personage. 'Know, Sir,' said the monarch, 'that there is no great personage (grand seigneur) here, but the man to whom I speak, and while I speak to him.' This trait, though despotic, is but the exaggeration of a grand truth; the truth that in a monarchy it is not alone authority, it is not alone justice, which emanate from the king; it is every public honour." Happy indeed is he who is admitted within the precincts of a palace; thrice happy he who hears the music of a monarch's voice—and thus Oliver the dwarf, and Tristan the hermit, stood at the head of Louis the 12th's nobility. The minions of Henry the 3rd were the worthiest *notables* of his court; and Villeroi, basking in the favour of the 14th Louis, was, of all men, most deserving of envy and of respect.

M. Montlosier's scheme for setting all matters right that have gone wrong is this, "If any thing is evident in politics," he says, "it is, that France must be recomposed out of France—the French edifice must be built up out of French ruins; by which I do not mean that the ancient feudal regime must be re-adopted, nor the form of our ancient states-general; but only the *spirit* which animated them." The *spirit* of the feudal regime! Does its ghost walk the earth? It was laid in France, and for ever, by the revolution. M. Montlosier must satisfy himself with the prettiness of his antithesis: it is easier to play upon words than to wake the dead. Hereditary nobility has two sources of strength—the physical and the intellectual; it holds

the former among an enslaved, the latter among an ignorant people. It is only among a brutal and an oppressed nation, that the race of Hercules could found a religion, or the race of Montmorency entail the homage of a nation. Enlightened Greece would never have professed a public veneration for the sons of even Aristides and Themistocles, or, at all events, the reverence would have been personal and transient. La Fayette is no longer asked for his ancestry, and the azure blood of the Montebellos stands them not in the stead of private and public virtue. Your broken and helpless nobility may go back to the darker ages; they will have no suite to follow them there, till their dungeons and castles are ready to receive the impugners of their authority; till the use of gunpowder is forgotten, and the buckler, halbert, and twisted mail, are used by their devotees; till the press is gone out of date, and 'darkness has covered the land' for half a dozen generations. It is not only in France that public opinion is enlightened on this interesting question—in Germany the feudal lords have been curtailed of their privileges—in Norway the Diet has abolished hereditary nobility by repeated decrees; and in Spain (even in Spain!) the monks of Montserrat, have not been able in seven years to sell sufficient of the "*Titles of Castille,*" to enable them to rebuild their convent, though these titles have been placed at their disposal for this most righteous purpose. This and similar facts stagger M. de Montlosier. He cries out upon the shamelessness and the profligacy of the age. "There will be nothing left us" he says, "but to fly to the banks of the Ohio and the Mississippi." Unhappy man! Democracy is there.

But he is not always despairing. Hear how he tramples down those who doubt the superiority of the past over the present. "Do you pretend that, before the revolution, there was never a political representation in France? Do you pretend, that there were never states general and states particular? That there were no states in Burgundy, nor states in Languedoc, nor states in Provence, nor states in Artois? Do you pretend, that the parliaments never exercised nor claimed the rights of remonstrance any more than to be *au petit pied* of the states-general? Do you pretend, that in the *abominable* feudalism, whose manners and institutions are the source of all the liberties of France, the commons were never admitted to political, and particularly to municipal rights? Do you pretend, that your *abominable* antiquity had no Champ de Mars, nor Champ de Mai, nor assemblies of the commons, nor assemblage of the barons?" The man is absolutely breathless with eloquence. Yes! France had all this and more, and it brought about

the bloody despotism of Richelieu, and the despotism, that of Louis the 14th, which *he* calls "beneficent," but which we would designate as *fanatical*, when he revoked the edict of Nantes, and razed Port Royal; *ferocious*, when he commanded the dragonades; *imprudent*, when, placing himself in opposition to the influence of the 16th century, he engendered the events of the 18th; *ruinous*, when he wasted the wealth and the persons of his subjects, leaving bankruptcy and misery to his successor; and *profligate*, while he revelled in his excessive debaucheries, and became the exemplar of that epoch of dissoluteness, hypocrisy, and bigotry, which followed. Let justice, however, be done: Louis the 14th *was* a public benefactor. He made the channel, and added to the waters of that great torrent of indignation, which in two generations more swept away all the old pollutions of the land. The excess of vice is subservient to the establishment of virtue. A reckless despotism is a political pestilence, preparing the way for health and security.

We have remarked that the views and the wishes of M. M. are generally mysterious, but there are certain favorite phrases which dance up and down his book, and serve him in the stead of a fixed purpose. Of all the losses he deplores, that of "the old and beautiful moralities of France" is the most frequently and the most bitterly mourned. He explains his meaning, which would otherwise be rather unintelligible, at p. 462. "The moralities of France, are, honor, grace, bon ton, and elegance of manner." New *moralities* these truly, and fully justifying contempt for the *immoral tiers état*. But the development of this new code of duty is perfectly delicious. "Let us remember that in our ancient manners, *frank*, *ingenuous*, *noble*, were one and the same thing. *Frankness* tells no falsehoods; *ingenuousness* conceals no truth; *nobility* is raised above all narrow interests, but there is an elevation yet higher, which is still further from them: and by the unanimous consent of mankind greatness elevated to the degree of *highness* becomes *most serene*." Were ever foppery and folly more amusing? "Contrasted with this dignity, with this serenity," he continues, "examine the countenance of those who have become rich, of *parvenus*, of all *new* men, you will see their present situation tinged with the colour of that they have quitted, tormenting their repose, by tormenting their recollections. Agitated thus, who can wonder at their seeking to agitate society?" What a charm there is in an antithesis! "The middle classes" he contends, "have but one thought, it is by the destruction of every thing, that they march to their preservation." And again, "History

teaches us that there is in this class an eternal and especial stock of envy, a susceptibility of irritation from the superior classes, such as always will shake the whole state, until the middle rank is able to destroy, even to its own detriment, that upper rank which is the object of invincible, implacable hatred." Surely the Bourbons are flinging about fire, and sporting amidst heaps of gunpowder, while they patronize such counsellors as these! "But with all their crimes believe not that the vanity of this class is yet satisfied. *Cloyed with blood, the glory of this blood is importunate.* After having inflicted death they are enraged because that death is called a martyrdom. This very martyrdom they denounce as a new pretension to distinction. Those whom they have destroyed they deem not sufficiently dead: though their bones are scattered, their members torn, their name and their memory still palpitate; these must be effaced; they would murder even in the tomb." Again we ask, are these the men to build up the decayed fragments of a Bourbon throne? But he is jocular in turn, and laughs his fill at the absurdity of a chosen democracy. "Think" says he, "of a patriciate of dealers in starch and tallow, and this among a nation always delicate, difficult, and nice! What an amusing spectacle, to see Monsieur La Fayette among a crowd of Chandlers, Clothiers, and Soap-makers, declaring in a mournful tone to the whole of France, that they were weary of the distinction of ranks." M. de M. has no objection to industry in its proper place, "for, as long" he says "as they move in the sphere of inferiority and modesty which belongs to them, they are entitled to public good will, but is it my fault if laughter is irresistible, when this or that manufacturer chooses *to soar above his bobbins!*" Hear this, thou *Right Honorable* Robert Peel! It is even so—"*to soar above his bobbins.*"

With bobbins M. de M. has a particular quarrel. Of a royalist writer who, with a sagacity rare among his party, recommended an emigrant to look forward instead of backward, and to repair his fortune by an industrious profession, M. Montlosier says, "he proposed to him (O monstrous!) to take his place among the dignities of the day, as an act of honour; that is to say, among writing desks, hammers, and *bobbins!*"

Blindness to the present is usually the companion of admiration of the past. The progressive influence of intellect, and the weight which it has given to the opinions of the middling classes, are altogether unintelligible to M. de M. He is told, that they have made a conquest of society, and he turns round and asks, with astonished incredulity, "when, and where, and how?" just as if intellectual victories were pitched battles, and the pro-

gress of truth like the march of a military conqueror. The advance of civilization is silent as it is sure; it may be seen by comparing one epoch with another; but can hardly be traced from day to day. It is the various action of multitudinous events and circumstances; the result of excited intelligence and busy inquiry; of the collision between truth and error, reason and prejudice. In France, the middle ranks have only occupied a vacant place—nobility had quitted its seats; it had lost its influence, whether by its own weakness and folly, or by the strength and wisdom of the people. Time, which has no respect for the parchments of ancestry, had destroyed all the associations which had given to the nobility some titles to esteem in the eyes of the vulgar. Military prowess; excessive wealth; superior knowledge; old recollections, had ceased to be the sole, exclusive possession of the titled aristocracy. It had to present itself to the other combatants, with equal arms, and in its defeat was submitted to many humiliations. It sold its ancestry for money, sought alliances of which it was ashamed, *s'encanailla* for the sake of a dinner, and now fancies that a few words will restore it to its old elevation, and humble the million who have felt and established their equality with it. Society gets more and more able to take care of its own interests, and will listen to newly-revived pretensions and prerogatives only when they are proved to be subservient to its well-being. A feudal nobility is a phantom of departed days, in whose existence M. de Montlosier may indulge a belief, and reverence the shadow his fancy has created—but the reverence cannot easily be communicated to others.

Some of the axioms of M. de M. are not a little curious. "Vanity," he says, "is the *particular fury* of the middle class." This is good, from the officious defender of vanity, the organ of the order so foolishly, so insultingly vain; hereditary distinction is but a privileged vanity at best—a vanity which its advocates may call ornamental, but will hardly succeed in proving to be useful. M. de Montlosier suggests to comedy writers and caricaturists the struggles of the people for an unattainable distinction, as a fit subject for satire and laughter. If ridicule could be so directed, painters and poets would not have neglected it, for they are too much the dependents of wealth and titles not to fall in with their prejudices and humour their will. In France, ridicule has taken another course, and the dramas which the *censure* has suppressed, show that both censors and authors have well understood their art. There is seldom any thing ridiculous in the wishes and desires of the many; there is much that is ridiculous in the

caprice and vanity of the few—that which is a serious matter to a handful of aristocrats, is a subject of smiles and scorn to an intelligent people; "but," says M. de Montlosier. "the doctrine of the greater number is *manifestly* a senseless doctrine." We thank thee, man, for that word. Again, "It is the horrible gospel of the revolution, to pretend that there is no other distinction in France than that of merit." Merit is no doubt the last thing he would think of distinguishing.

It is remarkable that M. de Montlosier, in discussing the influence of the clergy, should exhibit much good sense. He is alarmed at the existence of a formidable rival power. He sees in the ecclesiastical aristocracy an authority interfering with his own. He is angry if any of the arguments he has brought from old time should be used in favour of the clergy. No! no! he says, France is in a new situation; the clergy must not have their ancient prerogatives. "If things go on as now, the government is lost, and the priests, guided and animated, as they appear to be, are lost with it. One of two things will occur; the clergy will succeed, and the sovereignty of the priests will replace the sovereignty of the people: France will become what Spain is, or what herself was in the eighth or ninth century: or else the clergy will fail, and then every civil and political convulsion must be expected;" and afterwards, "If the march of events proceed as it is now proceeding, and the government blended amidst its *gendarmes* and its priests, continues to disdain the moral influence of institutions, and to caress errors and vices, its destiny is certainly fixed, and it will be terrible." With all these alarms M. de M. is a very devout and pious Catholic, protesting that he thinks a dextrous general, or a distinguished magistrate, is nothing, when compared with the head of a mendicant order of monks, or the superior of the '*filles de charité*'. "Messieurs Marshals of France," he exclaims, "I greatly respect you, for you have preserved the glory of France in her evil days; you have successfully commanded great armies when you had treasures to give, and they had booty to expect. But what are you compared to Pacôme, in the Thebaide, heading fifty thousand monks to whom he gave nothing but fastings and prayers. Give *us* good Capuchins, good Carthusians, and good Trappists, who meddle not with our mundane affairs, but to assist them by their devotion." Perhaps some greater benefactors of the human race might be found than Pacôme, if industriously sought for. We think, too, in these days, and in any days, good Capuchins and good Trappists are not easily found; and if found, they would be found good—for nothing; but that may pass for the sake of the wisdom with which it is associated, and the lesson

which even out of France might be advantageously studied. "The priest, who devotes himself wholly to heavenly things, is no doubt worthy of respect; but the priest who meddles with earthly things, who uses his ecclesiastical influence in civil, political, and commercial matters—the priest who is found in contested elections, yet preaches against the nothingness of worldly concerns, is he preparing any thing but the disgrace and overthrow of his order?" "The clergy, too," he says, "are more dangerous, because their object is concealed—that object being the absolute control of public opinion;" and prompted by his enthusiasm, our author turns upon the times gone by, to which he has so often referred, as models for imitation "of former days—the days of general stupidity, when religious tyranny had overturned the human intellect, and the clergy had possessed themselves of science, as indeed of every thing;" and again, "that state of things which we are in the habit of calling barbarous, and of attributing to the feudal system, or to the inroads of the people of the North, was, in fact, produced by the exaggerated importance given to religious things." There is much eloquence and truth in a passage that follows:—"Unless a special attention is paid to those holy men who use as their instruments a religion acting strongly on the thoughts and affections; men, whose influence is especially visible amidst the adversities of life; men, who have no families, who are shut out from the domestic sympathies, and are, on that account alone, less *citizens* than the rest; men, who are a class of themselves, act under a foreign sovereignty, and have a country out of their country in their own laws and institutions; these men, unless closely watched, may misdirect the people, teaching them to confound the representatives of God with God himself; to pay them, instead of a respect which is their due, a worship which is not their due; unless closely watched, society—aye, sovereignty itself—will fall into their hands. Have we not learnt that by such influence the house of Stuart was overthrown, and shall we be led by these imprudent men into the same road of ruin. Can monarchy in France be preserved by the means which overthrew it in England? Can the Jesuits, who dethroned James the 2nd, establish Louis 18th?" No doubt there is good ground for alarm in the progressive usurpations of the French clergy; usurpations sanctioned by the decisions of the courts of justice, and regarded with an obvious complacency by the Government and the King. There was formerly a means of appeal to the parliaments against the exactions of the clergy; but now, the only body that can be applied to is the council of state; that is to say, men depending wholly on the will of the monarch,

possessing neither public respect nor corporate power; whose authority the priesthood have refused to recognize, and who lately, in a case of grievous oppression committed by the bishop of Chartres, now archbishop of Rheims (Latril) towards a curate (Charles) declared themselves *incompetent* to interfere; and on another occasion, where the archbishop of Toulouse had even attacked the government authority, the council merely directs the suppression of the archbishop's *mandement* without venturing to reprove his conduct; and he, in the crafty spirit of his order, and rising up stronger on the weakness of his opposers, writes to all the bishops of his diocese—"The best that can be done, on the subject of the orders of the minister is, to act as if they had never been issued." Again, when a journalist was condemned for inserting a calumnious letter of the Abbé de Mennais, the meek churchman exclaimed, "I will teach them what it is to attack a priest." He knew his ground, his threat was effective, they have not dared to attack him. Amidst the signs of the times, it is instructive to see the bishop of Cambray in a funeral anniversary oration on Marie Antoinette, telling his hearers, in so many words, that they are to elect such and such deputies; the bishop of Lucon publicly insulting the opposition voters at Fontenay, and the bishop of Meaux shutting the gates of his cathedral against a deputy whose opinions he disliked. He must be blind, indeed, who does not perceive that the French clergy are playing a dangerous and desperate game; and we think, he must have studied the past and the present to little purpose, who does not rise from the contemplation with the refreshing thought, that the many must ultimately triumph completely and universally over the few.

M. de Montlosier is full of interesting materials for thought, and for consolation. He does not always understand himself, nor see to what consequences he is leading his reader. In spite of all his fancies about nobility, he really wants an absolute King, and an hereditary aristocratic council, which have the name of a check, without the reality. The monarch of his affections must be surrounded by a nobility, independent of public opinion; but basking in the favour of their irresponsible master. He would have an omnipotent King, who should seem to take advice, and a nobility of pomp and parade, who should seem to offer it. France is to be placed back we know not how many centuries; a state of things is to be introduced which time has utterly destroyed. The attempt will generate a new and inevitable re-action; the demand for reform will become imperative, and a revolution, led by experience and wisdom, and supported by irresistible power, will vindicate the rights of a people, and secure the public weal.

ART. III. *Letters from an Absent Brother, containing some account of a Tour through parts of the Netherlands, Switzerland, Northern Italy and France, in the Summer of* 1823. George Wilson. London. 1824.

WE collect from the Preface that the author of these pages is a clergyman, that, after a long course of theology, he fell sick, and travelled on the continent for his health, that he wrote long letters to his sister while abroad, and when he returned home was importuned by his friends to publish them, and that after much delay and with extreme reluctance, the too common catastrophe of print was brought about. This is the old story, the burthen of every preface. In the language of the law, all heinous crimes are perpetrated at the instigation of the devil: in our lighter literature, all follies are committed at the instigation of friends. A good kind of man in his way, and most persevering correspondent, writes letters to his family concerning the nature of his meals and so forth, till they accumulate to a bulk of paper that would make a very respectable bonfire; and his cruel associates persuade him, nothing loth, that they are applicable to the illumination of the world, and convertible into a book. The volumes before us furnish a sad example of the lamentable consequences that attend this species of seduction.

We have stated that our "Absent Brother" is a clergyman, and must add, that he is one of "the serious persuasion," that he possesses a large share of intolerance for the modes of faith of others, and that his religious views are darkened with a deep tinge of bigotry. Popery is the night-mare that weighs most grievously on his mind, and frets his imagination. With the antipathy of a turkey-cock he rages against the smallest shred of the scarlet abomination that he meets with in his travels, and tears and tosses it about with rampant zeal. The rites of the Catholic Church provoke his spleen or make him actually miserable, and he is, indeed, not even prepared to behold with composure a Catholic population in Catholic countries—an unlooked for phenomenon which fills him and his letters with heaviness. Nevertheless, we find him compelled to admit, that the priests of idolatry can preach admirable sermons on moral obligations, and that there are Catholics who are pious and simple-hearted Christians. But these facts by no means abate our author's unmeasured abhorrence of Catholicism, they are but as water sprinkled on the flame of his bigotry, which blazes forth and roars with redoubled violence from the aspersion.

In saying even thus much of the bias of the author's mind, it may, perhaps, be thought that we have attached much more

of importance to that circumstance than it merits, when the stamp and execution of the work are taken into consideration. But it is peculiarly offensive at this moment, to find men of peace exerting themselves to strengthen injurious prejudices; and ridiculous as the language of the Rev. Mr. D. W.* may appear, yet it must be remembered, that it is the dialect of a considerable religious party, and though absurd in the judgment of the rest of the world, it is not only respectable in their sight, but the passport to their favour. The jargon which is despised by the general reader as sheer cant, will be regarded by the "Serious" as their spiritual Shibboleth.

Having given the above hints touching the manner of man we are about to introduce to our readers, we shall now present him on his travels, and let him speak for himself. The professed object of the "Absent Brother" is, to "assist the English Protestant to associate religious and moral ends with the pursuit of health or improvement in foreign travels;" and he has certainly contrived to make these two ends meet with most extraordinary effect, and has produced, as will be seen, a strange jumble of things, ghostly and bodily. But this is a peculiarity that characterises his sect. The writings and conversation of those persons who distinguish themselves by the appellation, κατ' ἐξοχὴν, of Serious, are almost invariably remarkable for an unseemly association of spiritual and worldly cares. This confusion of sacred and profane things gives an air of irreverent familiarity to their religious lucubrations, which is doubtless as distant from their purpose, as it is inconsistent with the professed object in view.

Having entered France at Calais, on his way to the Pays Bas, our author's troubles first commence at Dunkirk, where he remarks that, though "there is a great air of comfort and cleanliness about this part of France," yet "the deplorable superstitions prevalent every where, are most affecting;" he discovers further, to his unspeakable consternation, that at this town they actually call the Protestants Jews. At Lille he complains of the scarcity of Protestants, and remarks on the abundance of wooden shoes; the Bible Society in that flourishing city is pronounced feeble, and food is cheap and wages high: a sad state of things! At Courtray, "interesting for its cheerfulness and neatness," things get worse and worse; there are many lamps and no Protestants; 'a darkness to be felt.'"—"At every lamp through the streets an image of the virgin is suspended; not a Protestant in the town. In England we have

* The author has confided so much of his name to the public.

little idea of the state of things in Catholic Europe; 'there is a darkness that may be felt.'" That is to say, certain people in England, have no idea that Catholic people live in Catholic Europe, and observe Catholic customs in their Catholic towns.

At Ghent he falls in love with the fine pulpits which are common in the Netherlands, and declares that it would be a blessing indeed, if the doctrine only resembled the excellence of the pulpits. Having read this, we certainly felt a curiosity to learn how they fashioned pulpits at Ghent, and in the next sentence we are favoured with a description of a pulpit after the author's heart. This pulpit was "an immense sort of pumpkin which an angel supported underneath." In England we manage these matters differently, here the "immense sort of pumpkin" is sometimes found *in* the pulpit, supported, not, indeed, by an angel, but by certain able-bodied parishioners, substantial housekeepers, and the bumpkins, the growers of better things than pumpkins. From Ghent the absent brother proceeds to Antwerp, the cathedral of which city he declares "*superstitious* beyond all imagination." Considering the great antiquity of this fine pile, it is certainly old enough to know better. Namur throws him into a note of admiration—"A city entirely Catholic! Twenty thousand souls, and scarcely a protestant inhabitant!" "Not so much as a single sermon" to be had for love or money. Nevertheless he sallied forth to the military chapel of the Dutch troops, to hear the German service, of which he could not, he says, understand one word. This reminds one of the simplicity of the Irishman, who did not know whether he could play the fiddle or not till he tried. Surely Mr. W. might have discovered whether he could understand German or not before he went to hear a German sermon. After dinner he takes occasion to bestow some bitter compassion on the Catholics for their alleged idolatries. At Aix la Chapelle he finds that English Newspapers are prohibited throughout Prussia, which is not the case; and that every "creature is brim full of discontent;" to which he prudently adds, "and much beyond the occasion, I *should* think."

In Berghem we find that there are six hundred and fifty souls and only one Protestant, nevertheless "it is a sweet calm place; the hotel clean, people attentive, beds comfortable"—all these good things with only one Protestant! At Remagan, on the Rhine, he gives some information touching the discipline of the Catholic church, and the duty on *Eau de Cologne* at Dover.

At Coblentz he is "four hundred and forty miles from Calais, and all well and surrounded with mercies," namely, "smooth roads without pavé and the weather charming."

"At Hirtzenach, a village near St. Goar, we halted at a small inn, where the master was a Jew, who refused to give us plates and knives, &c. because we were Christians, and looked anxiously into our tin boxes to see what food we had with us." We had made up our minds that the Jew would find a Bible, or at least a luncheon of tracts, but lo—"The first thing was a ham"!* What a judgment on the Jew! St. Goar is celebrated for the supper which the party ate, a meal of a very bodily nature, it consisted of "soup something worse than water gruel; next boiled veal, then chicken stuffed with bread-pudding, and accompanied with cherry-sauce and sallad; then cold salmon cut in slices; next, roast mutton; lastly cakes and cherries."

Weisbasden in the duchy of Nassau throws our poor gentleman into a sad state of affliction—he finds the shops open on Sunday, and incontinently pronounces Protestantism worse than Catholicism.

'We are now in the dominion of a Protestant prince; but oh! what a state of things for a Sunday—the shops all open, a ball at our inn in the evening—music at dinner—public places crowded—the whole village in motion. This blotting out the Sabbath from the days of the week is quite frightful—it is like blotting out the covenant of mercy between God and man. I have hitherto had to speak of Catholic superstitions—but alas! the name of Protestantism, what is it? All is as bad here, or worse, than in Popish towns, with a criminality infinitely deeper.'

The reverend writer, it is evident, is one of those who think that all religion and all the virtues consist in the austere observance of the Sabbath. Piety, morality, good order, what are they but the shutting up of shops on Sunday. And yet Mr. W. who is notoriously a most devout reverencer of kings, must be well aware that, once on a time, the worthies most exemplary in this particular, the very models of Sabbath-keepers, applied themselves on working days very zealously and effectually to the business of cutting the throat of the Lord's anointed.

Having been just five silent Sundays abroad (he counts time by silent Sundays, that is to say Sundays on which he is silent or does not preach) the author comes to the following conclusions:—

'Here, and at Franckfort, there are scarcely any altars or images;—in fact, the Catholic Church here is less ornamented than the Lutheran: but I see more and more that the main blessing wanted in every place is

* It will be remembered that our author's troubles commenced with the discovery that the People of Dunkirk called Protestants Jews, and it is probable that this ham was carried about by the party as a compendious declaration of faith, a short, easy, and savoury answer to the charge of Judaism.

the gift of the Holy Spirit of God. I am sure we have little idea in England of the state of things abroad. *We amazingly overstate the comparative amount of good effected by our societies;*—the world is still "dead in trespasses and sins"—vast tracts of barren Protestantism, or untilled and fruitless Popery, stretch all around us.'

At Kehl on the Rhine, the good gentleman had a sad fright. "Wednesday morning.—We were awoke this morning at five with the noise of cannon. The whole house shook—*it was only the soldiers exercising—but it was frightful.*"—Poor Gentleman!

Under the head of Emmindingen we find an account of his troubles with the innkeepers, and the mortification of the flesh, not voluntary, but to which bad cooks subjected him, which are described in a very methodical and affecting manner:—"I with my Dictionary endeavouring to recal my old forgotten German, as well as I can; till at last Mrs. W., our friend, the boys, the innkeepers, the chambermaid, and the coachman, are all in the bed-room together, before we can make out what we want." The food is greasy, and the fowls are like pigeons, he orders mutton chops, and they bring him up "veal cutlets as hard as a board." At Donaueschingen he relaxes his mind by jumping over the springs of the Danube, and assures us he did it with ease—we rejoice in the circumstance. The sight of this river suggests *a pleasing thought:* "It is thus the current of evil from the heart of a single individual, small at first, sometimes swells as it flows, till distant regions are desolated with its waves." This is, indeed, turning every thing to bitterness. In the following passage Mr. W. is so obliging as to say, that the Danube and the Rhine will be connected with the numerous events of ancient and modern history which his reading may furnish—a handsome compliment to those respectable rivers, accompanied with a prudent reservation: "Thus two of the noblest and most celebrated rivers in Europe are associated in our minds in their origin or their progress, and will be connected with the numerous events of ancient and modern history *which our reading may furnish.*"

The Absent Brother seems to have examined the dress of the women of Zurich with much particularity: he shocks us by telling us that they wear no gowns, but comforts our modesty by adding, that their "underdress expands over the shoulders like a surplice," their petticoats, he goes on to say, are undoubtedly short, and they are a strong and fine race.

If any one should now be disposed to think, for one moment, that we are making too free with the follies of the author, let him observe the measure which the Rev. D. W. deals out to a brother divine, in the following handsome portrait:—

'Perhaps one of the most singular persons we have seen since we have been abroad was a clergyman of one of the towns we have lately passed through: pompous, good-tempered, officious, confused; with a mixture of pride from his station and family, and of familiarity from an affected condescension towards others; the high priest, and yet the friendly, kind, obliging man; withal tedious, dawdling, never seeing the good sense of a thing, and having no tact in discovering the inconveniences which his conduct occasions; a worthy, bustling, unintelligible personage. But all this would have been nothing, if it were not that this same person is a divine, nay, *the* divine, the great man in theology, whose reputation spreads through the neighbourhood, who talks perpetually of the Reformation, and whose opinions gain credence. I really was quite nervous in his company: all I could do, I could get no one good sentiment out of him; he did nothing but talk to me of his church, his parish, his house,and four or five portraits of himself. A negative character is not enough for a minister of Jesus Christ, in a dying, guilty world.'

On arriving at Bern, he declares that he would raise up his "stone of memorial and call it Eben-ezer; and say, hitherto hath God helped us: we have travelled all this way without a single accident properly speaking," &c. This habit of ascribing minute and trifling circumstances to the immediate intervention of the Almighty is offensive in the extreme. The author of Waverly, who will scarcely be charged with treating religious matters with levity, has ridiculed this profane folly in Old Mortality, where he makes old Mause exclaim "Through the help of the Lord I have leaped over a wall." In crossing the Alps poor Mr. W. made a shocking discovery, which he must recount in his own words: "I forgot to tell you, that two of our beasts were named Gabby and Manny" (it is strange that he should have omitted to mention so important a particular); "for a long time we supposed these were the real names, at last our guide rather shocked us by saying that the first was called Gabriel, and the second Immanuel!"

We cannot resist the temptation of giving the Rev. D. W's very elaborate treatise on beds, under the head of "Beds on Rhine." From his description it would appear that the bed of the Rhine itself is scarcely a more uncomfortable birth than the beds on the Rhine.—The 2nd and 3rd clauses are affecting in the extreme, it is pitiable to picture to one's mind's eye the poor gentleman's hard case while struggling to preserve the balance of bed-clothes.

'1st. We were in danger of rolling out, from the inclined, shelving form of the high, thick, awkward, trebled mattresses; the beds inclined both from one side to the other, and from the head to the foot. 2nd. If you kept in bed, you were in danger of losing all the scanty clothes at

once, by the slightest change of position. 3rd. If you laid hold of the clothes to prevent this, then you infallibly uncovered your feet; and in rising to adjust the clothes, the whole bed became deranged. 4th. When other things were settled, you had to search about with your hands in the straw of the mattresses, and push down some of the principal bumps as well as you could. 5th. The curtains being suspended on a ring or hoop, from the top of the room (the beds having no posts) you were in danger of pulling down the whole canopy upon you, if you drew the curtains round you. 6th. All these dangers being over, you were exposed every minute, till the house was quiet, to persons of all descriptions coming into your room; for the lock would sometimes not turn, and you had no bolts. Then, 7th. The servants knew not one word of French; and, lastly, the beds themselves were so small, and so beset with hard wooden sides and ends, that you were infallibly exposed to injuring your hands, or arms, or head, by violent blows. Now we are in Switzerland, the beds are generally better.'

The author is rather disposed to the ambitious in his scene-painting, but we shall not weary our readers with his performances in this way. At Servoz, on the road to Chamouny, however, he gives an exquisite specimen of the light in which he views things, and of his just sense of proportions. "I am sitting at the door of the inn, writing on a rough wooden table, which shakes at every movement of my hand—the village church just in view—a few scattered houses round it—*three noble mountains guarding it behind.*" Three noble mountains guarding *a village church!!*

At Martigny, he again falls into dolour. "Again in a Catholic town with not a single Protestant, as I am told." Good lack! In this place he attends the Catholic service, of which he gives the subjoined account, from which it appears how much more importance the writer attaches to the forms of religion than to the spirit of it, and how light he holds the soundest morality when compared with the inculcation of doctrinal points.

'As we entered the church-yard, we saw a priest uttering some prayers, and then sprinkling water on the people who were kneeling around. On coming into the church itself, we found it crowded with people. I asked a lady to lend me a prayer-book; but she could not tell me, nor could I find out, where the priest was reading: one thing I suspect, that but few could understand a word of the prayers —indeed intelligent worship seemed no part of the object for which the congregation was assembled. The music undoubtedly was beautiful. After half an hour, the priest gave notice that the Pope was dead, and exhorted the people to pray for his soul, and to beg of God to grant him a worthy successor. He then read notices of Saints' days, and of the Nativity of the Virgin Mary, which falls to-morrow. Next, another priest, the prior, I believe, of the parish, ascended the pulpit, and

delivered a sermon on our Lord's words, "Render unto Cæsar the things which are Cæsar's, and unto God the things that are God's." His subject was, Restitution. After his introduction, I was surprised to observe, that he not only paused and kneeled solemnly down in the pulpit himself, but that the whole congregation knelt down also, in secret prayer to God by the intercession of the Virgin Mary. It was peculiarly impressive, I assure you, and what I never saw before. The sermon was admirable, as an abstract explication of the duty of Restitution, chiefly drawn from Chrysostom and Augustine. There was a degree of talent, a force, an acumen, a dignity in all the preacher said which arrested attention. The whole made a powerful impression. I saw some country-women who stood near me in the aisle, positively quake for fear. Still it was undoubtedly defective, and even unscriptural, as the instruction of a Christian divine—there was not a word as to the way of obtaining pardon for our breaches of this duty; nor a word of the grace of the Holy Spirit as necessary to assist us to keep it for the future; *nor a word of the corruption of the heart, as the spring of all sin and evil. Nay, he plainly said, that good works, that is, the performance of this, and other moral duties, would save us.*'

The author admits that there is much discontent in Lombardy and Piedmont, and that the Austrians are, as every one well knows, universally detested. When at Milan, Mr. W. summoned the waiter of the inn, and asked for a Protestant, "We are all Protestants now," was the political pun of the man in reply. He complains much of the posting in these provinces, and with reason, if what he says be true, namely, that not a postilion *or a horse stirs without the police's leave.* The horses of those parts must be wonderfully obedient animals. In treating on the subject of posting, our traveller is thrown into admiration (wherefore we do not understand) by the colour and fashion of the postilions' liveries, and indulges in a whimsical variety of incongruous speculations. "In Lombardy their livery was a light yellow cloth with tassels! The tackling of the horses being chiefly of cord, requires one or two regular stops each stage, for the purpose of being adjusted. And now," he continues, "*as I have fallen upon the manners of the people,* let me speak to you about the washing, or rather beating, of the linen on the continent." We have not the slightest objection to his speaking to his sister about the beating of the linen, but we do not clearly see what it has to do with "the manners of the people," nor how the manners of the people are immediately connected with the tackling of the horses or the exemplary obedience of those quadrupeds to the will of the Austrian police.

The Hospice de la Charité at Lyons fills Mr. W. with alarm, as "it admits des filles enceintes, for their lying-in;" and though there is a Bible society and no lack of Protestants in this city, he

complains vehemently that wretches stationed in the worst description of houses, invite passengers with a loud voice to enter. "*What a falling-off*," he groans, "since the noble army of martyrs died on the very spot!" The practice to which he alludes is certainly not a very decent one, but the reverend writer must have strayed into a bad neighbourhood, and, after all, it may perhaps be thought by some people preferable to the roasting of martyrs.

Our traveller admits that the policy of England with regard to Ireland is every where on the Continent condemned in the strongest terms. A certain pastor at Lyons, indeed, seems to have troubled our good gentleman not a little on this point—"The former pastor at Lyons called on me yesterday, he defends the Règlement at Geneva. This morning I went and breakfasted with him, and his wife and family *all amiable, obliging;—but I wanted something more of the spirit of Christianity*. He expressed great surprise at the state of Ireland; at our refusing the Catholics civil privileges; at our neglect of the education of the poor; at the disturbances and riots in England. *I made such answers as I could on these points*." We trust that the first part of this passage has not been lost on our readers, it is no bad specimen of the charitable spirit with which these pattern people pry into families, and requite hospitality and kindness with ready detraction. The rev. author meets amiable and obliging people over their tea and toast, and on this sort of acquaintance, and with this opportunity of searching their hearts, he does not hesitate to proclaim them to the world wanting in the spirit of Christianity. We can easily conceive, however, that nothing short of a breakfast-meeting of the Religious Tract Society, would satisfy this gentleman's inordinate spiritual cravings. The religious espionage which we observe in this instance is, however, we have reason to believe, carried on in this country to an extent, and by means that are little imagined.

Mr. W. takes frequent occasion to mention Napoleon with a degree of courtesy and respect, we had almost said admiration, for which we were not exactly prepared by the general tenor of his book; but the mystery is at last explained, and it appears very evident that he regards the late emperor with complacency, because he shook the papacy to its base: this circumstance seems to make him just to the genius of Napoleon, and almost tolerant of his crimes, for we find him talking of "glorious ambition," and "splendid vices" like a soldier, and when warming into eloquence, even going so far as to declare that this wonderful man "brought royalty and talent into such close contact, that there

was *some danger* of men beginning to estimate the value of a sceptre *by the mere ability of the hand that wielded it.*" It is difficult to contemplate such a danger with composure: how lamentable a catastrophe it would be, were sceptres estimated in this way, and sunk as low in the market as Poyais bonds, instead of being valued as they now are, by their weight.

We must now close our notice of this book, having endeavoured to extract from it a specimen of a style of writing which is not without a large class of zealous admirers among those who mistake sourness of spirit for virtue, and cant for the language of religion. Every one has seen advertisements for serious porters able to carry so many hundred weight, and has heard of serious hoys that sailed for Margate, worked by serious crews, who tripped their anchors to serious songs, and never whistled for a wind in any but serious tunes, or dismissed their messmates to the infernal regions but by serious discourses; and we have now submitted to the public a specimen of a serious tour in the "Letters from an Absent Brother"—letters which, had they been applied to their proper use, would long since have curled his sister's hair, instead of curling as they now do, the lips of the unrighteous.*

ART. IV.—*Project of a New Penal Code for the State of Louisiana.* By Edward Livingston, Member of the House of Representatives from the Parish of Plaquemines. London. 8vo. Baldwin, Cradock, and Joy. 1824.†

AMIDST the successful struggles of prejudice and error to retain their influence over the minds of men; amidst the temporary triumph of despotism, and the partial failure of the cause of freedom, the train of events is constantly exhibiting some new proof of the real and steady progress of knowledge. That progress is seen in the increasing wisdom with which men think, and the purer benevolence with which they act; for wisdom and benevolence are inseparably associated with true knowledge. But the dictates of benevolence, and the practical applications of those dictates which wisdom sanctions and secures, are unobtrusive and noiseless: they do not dazzle by their

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* Since this article was printed we observe, that the work reviewed is advertised as the Continental Tour of the Rev. Daniel Wilson.

† This work was originally printed in America, by the authority and at the expense of the General Assembly of the State of Louisiana, under the title of a "Report made to the General Assembly of the State of Louisiana, on the Plan of a Penal Code for the said State. By Edward Livingston, &c." It is dated New Orleans 1822. It is now republished in London by Baldwin and Co. under the title at the head of this article.

splendour; they do not affect the imagination by the sudden and convulsive changes they produce; they are mild and gentle; they are unobserved by the careless; they are disowned by the selfish; but the eye of the philosopher is on them; and the heart of the philanthropist is gladdened by them.

The Senate and House of Representatives of the State of Louisiana have recently afforded one of the proofs to which we have alluded, of the constantly increasing extension of enlightened and benevolent principles. This state exhibits the singular spectacle of a people remodelling by one act the whole penal institutions of their country; abandoning, without reserve and without fear, the prejudices and errors of past ages, handed down to them under the imposing names of the wisdom and experience of their forefathers; rejecting the crude, and contradictory, and weak, and cruel laws, which were imposed by ignorance and passion; and projecting a Penal Code, uniform, consistent, mild, founded on principles which, the science of jurisprudence has completely and beautifully developed; and the truth and efficacy of which, experience, whenever they have been put to the test of experience, has demonstrated. It is events like these that repay such men as Bentham and Romilly for the labour of a life. And certainly it must appear a wonderful thing to some persons in England, that such a plan can have been projected and sanctioned by the legislature of a country without convulsion, without revolution, without tumult, without noise, and even without the slightest inconvenience of any sort. A truth, however, it is, mysterious as it may be, that such a plan has been publicly discussed and even publicly approved; and yet the foundations of society have not been shaken; social order has not been disturbed; neither the altar nor the hearth has been invaded; the prisons have not been more than commonly crowded; not a single prison has been demolished; the sun itself has actually risen and set much as usual; and people have gone to their occupations in the morning, returned in the evening, and slept in peace at night, just as before.

The General Assembly of the State of Louisiana have published the following declaration:—"That it is of primary importance in every well-regulated state that the code of criminal laws should be founded on one principle, namely, the prevention of crime; that all offences should be clearly and explicitly defined in language generally understood; that punishments should be proportioned to offences; that the rules of evidence should be ascertained as applicable to each offence; that the mode of procedure should be simple, and the duty of magistrates, executive

officers, and individuals assisting them, should be pointed out by law; that the system of criminal law by which this state is governed is defective in many or all of the points above enumerated; that therefore a person learned in the law shall be appointed by the Senate and House of Representatives, whose duty it shall be, to prepare and present to the next General Assembly, for its consideration, a Code of Criminal Law in both the French and English languages, designating all criminal offences punishable by law; defining the same in clear and explicit terms; designating the punishment to be inflicted on each; laying down the rules of evidence on trials; directing the whole mode of procedure, and pointing out the duties of the judicial and executive officers in the performance of their functions under it." In pursuance of the above enactment, Mr. Livingston, was in February, 1821, appointed by the ballot of the General Assembly, to prepare a Criminal Code; and in the report, of which we are about to give an account, he states to the General Assembly the progress he has made in the prosecution of this work, develops the plan on which he proposes to execute it, and offers some of the detached parts as specimens of the execution, in order to take the direction of the Assembly, whether it shall be completed or not. The Assembly having received this report came to the following resolution.—"That the General Assembly do approve of the plan proposed by Edward Livingston, Esq. in his report, made in pursuance of the act, entitled "An Act relative to the Criminal Laws, of this State" and earnestly solicit Mr. Livingston to prosecute this work according to the said report; that two thousand copies of the same, together with the part of the projected code thereto annexed, be printed in the pamphlet form; one thousand of which shall be printed in French and one thousand in English, under the directions of the said Edward Livingston, Esq., of which five copies be delivered to each member of the present General Assembly, fifty copies to the governor," &c.

The General Assembly has been fortunate in its choice of the agent to carry its project into execution. Mr. Livingston's mind is clear, his judgment sound, his knowledge extensive; he is well acquainted with, and appears to have diligently availed himself of, the proper sources of information; he has applied himself to his work with a mind deeply impressed with a sense of its difficulties, and with that distrust of his power to perform it well which every truly enlightened man, however gifted, must feel when he contemplates the magnitude and importance of the subject; but with none of that weakness which would make him falter in his purpose: it is a distrust which

only induces him to proceed, step by step, with the utmost caution; to guard equally against undue prepossession and unfounded fear, and with a sincere and candid mind to search after what is truly useful; to adopt that, and to reject the contrary, whatever it may be; whatever theory or custom it may favor or oppose.

There is a great difficulty in forming a perfect Penal Code. A Penal Code comprehends those provisions which are appointed by the will of the state to enforce the observance of the rights of the community. Were these rights generally and accurately defined, the task of legislating on this subject would be easy: all that would then be necessary would be, to determine the nature of the sanctions to be imposed, and their specific applications. But, unfortunately, nothing can be more vague and imperfect than the declaration of rights in all countries. The term Right, in the science of jurisprudence, signifies the power which is given to individuals by the community over certain objects of desire. When it is said that a person has a right to a thing, what is really meant is, that he has the power of doing with that thing what he pleases. Of the objects which are considered desirable, rights relate only to those of which there is not a sufficient supply for all; and which, therefore, require allotment and distribution. Those things which do not depend on human labour for their supply or their preservation (for, when investigated, it will be found that almost all the things connected with rights, depend for their production or supply immediately or remotely on human labour), or all things which nature has furnished in such abundance, and with such constancy and certainty, as to leave no room to doubt that there will always be a sufficient supply; such, for example, as air, light, and in this country, water; all such things are not the objects of rights: and to apply to them this term leads to confusion of ideas. The term ought to be restricted to those good things of which the supply is limited, and for the production of which, the intervention of human foresight and labour, in some shape or other, is necessary.

The source of right is the Will of the Community. Every one desires to possess as many good things as possible: the strong, if left to themselves, would take every thing from the weak: hence it is necessary that the weak should combine for mutual protection. The object, then, of this combination, that is, the object of the social union, is mutual protection. But what is to be protected? It is obvious, that the moment this union takes place there arises an absolute necessity of determining what share of the things to be divided shall be possessed by each,

This allotment, when fixed by the community, or by that part of it which exercises the powers of the whole, constitutes right; and before that allotment the right did not exist. It is obvious, that the standard by which the allotment ought to be made, that is, the distribution which benevolence requires, is that which secures the greatest good of the greatest number. The end of government, then, is the protection of rights. But rights to be protected must be ascertained: hence the necessity of a clear and precise definition of rights and of a general declaration of them. Rights are liable to be violated: the acts by which rights are violated it is the end of government to prevent; but that prevention is impossible, unless the acts are known: whence there is the same necessity for the accurate definition of every act which constitutes the violation of a right, that is, of an offence. The definition of rights constitutes what is called the Civil Code: the definition of offences constitutes the Penal Code. It is obvious, therefore, that these two parts of law have the closest possible relation to each other; the penal law being, in fact, only an assemblage of the expedients adopted by the government to cause the civil law to be respected. Both ought, of course, to be framed with a reference to each other; to form an uniform and consistent whole; united by, and founded upon, common principles. A luminous and beautiful example of the completeness with which this might be accomplished is afforded by Mr. Mill, in his Tract on Jurisprudence. To say that it cannot in practice be reduced to a form thus scientific, is to affirm that jurisprudence is not a science; whereas, in the strictest sense, it is a science, for it consists of a collection of principles. It is then clearly impossible to form an accurate penal code without previously forming an accurate civil code. As soon as he began his task, this difficulty, arising from the want of a full and precise definition of rights, was evidently felt by Mr. Livingston. A penal code, framed without reference to a civil code, must be attended with two evils; it must contain an imperfect declaration of rights, and it must be defective in arrangement. Both these defects attach to the code projected by Mr. Livingston. The arrangement, as far as it is possible to judge from the brief Report before us, is not strictly scientific: the principles, however, which are recognised by it, and upon which it is founded, are just and enlightened; and it is chiefly with a view of directing the attention of the British public to some of these, that we proceed to give an account of this interesting and valuable document. We cannot but think, with the individual to whom we are indebted for the re-publication of it in England, that there are persons in this

country who will be anxious to know how some of our institutions are viewed, and how, when full liberty is allowed to change them, they are modified by an enlightened legislator who is uninfluenced by our prejudices and unfettered by our customs. We perfectly concur in the opinion of the former, and fervently join in his prayer. "America owes much to England. May she prove herself worthy of the boon, by continuing to extend and perfect the noble institutions she has received from this source, and may she pay back the benefit by exciting her benefactress to emulate her example!"

This Code is divided into six books; each book into chapters and sections; the whole composed of articles numbered throughout each book. The first book contains definitions, explaining the sense in which certain words and phrases are used in the book, and directs the mode in which the code is to be promulgated and taught. The second book contains general dispositions relating, 1. To the exercise of legislative power in jurisprudence; 2. To prosecutions and trials; 3. To the persons who are amenable to the provisions of the code, and of the circumstances under which acts that would otherwise be offences may be justified or excused; 4. To the repetition of offences; 5. To different persons participating in the same offences as principals, accomplices, and accessaries. The third book defines offences and designates their punishment. The fourth book establishes a system of procedure. The fifth book contains rules of evidence. The sixth book relates to the establishment of a penitentiary, and to the regulations for its government.

The second book commences with a statement of the reasons which have called for the enactment of a criminal code, and sanctions, by a solemn legislative declaration, the principles on which its several provisions are founded. It is stated, that the great principles on which the Code is founded, once thoroughly studied and understood, will serve as a standard to measure the propriety of every other part of the code, will render the task of penal legislation comparatively easy, and enable the mind to determine, by a single thought, whether any proposed provision is consonant to those maxims which have been adopted as the dictates of truth: that thus the incongruities which have hitherto pervaded the criminal code will disappear, that every new enactment will be impressed with the character of the original body of laws, and that penal legislation will no longer be a piece of fret-work, exhibiting the passions of its several authors, their fears, their caprices, or the carelessness and inattention with which legis-

lators, in all ages and in every country, have endangered the lives, the liberties, and fortunes of the people, by inconsistent provisions, cruel or disproportioned punishments, and a legislation weak and wavering, because guided by no principle, or by one that was continually changing, and therefore could seldom be right. It is further stated, that this division of the code is deemed to be of the highest importance, all the other parts deriving their character from it; that it is, in fact, the foundation of the whole work; that, if well laid, the superstructure raised in conformity to it cannot be essentially faulty, and that it is the result of much reflection, guided by an anxiety to discover the truth and to express it with precision. The principles are stated as follow:—

I. THAT VENGEANCE IS UNKNOWN TO THE LAW. That the only object of punishment being to prevent the commission of offences it should be calculated to operate: 1. on the delinquent, so as by seclusion to deprive him of the present means, and by habits of industry and temperance of any future desire, to repeat the offence; 2. on the rest of the community so as to deter them by the example from a like contravention of the laws. —II. That no punishments greater than are necessary to effect these ends ought to be inflicted.—III. That no acts or omissions should be declared to be offences, but such as are injurious to the state, to societies permitted by the laws, or to individuals: and that because penal laws should not be multiplied without evident necessity, therefore acts, though injurious to individuals or societies, should not be made liable to public prosecution when they may be sufficiently redressed by private suit.—IV. That because from the imperfection of all human institutions and the inevitable errors of those who manage them, it happens, that the innocent are sometimes condemned to suffer the punishment due to the guilty, therefore punishments should be of such a nature, that they may be remitted (and as far as possible compensated) in cases where the injustice of the sentence becomes apparent.—V. That where guilt is ascertained the punishment should be inflicted speedily.—VI. That penal laws should be written in plain language, clearly and unequivocally expressed, in order that they may be neither misunderstood nor perverted; that they should be so concise as to be remembered with ease, and all technical phrases or words they contain should be clearly defined; they should be promulgated in such a manner as to force a knowledge of their provisions upon the people; to this end they should not only be published, but taught in the schools, and publicly read on stated occasions.—VII. That since the law should never command more than it can

enforce, whenever from public opinion or from any other cause, a penal law cannot be carried into execution, it should be repealed.—VIII. That the accused in all cases should be entitled to a public trial, conducted by known rules, before impartial judges and an unbiassed jury; to a copy of the act of accusation against him; to the delay necessary to prepare for his trial; to process to enforce the attendance of his own witnesses; and to an opportunity of seeing, hearing, and examining those who are produced against him; to the assistance of a counsel for his defence; to free communication with such counsel, if in confinement; and to be bailed in all cases except those particularly specified by law. No presumption of guilt, however violent, can justify the infliction of any punishment before conviction, or of any bodily restraint greater than is necessary to prevent escape, and the nature and extent of this restraint should be determined by law.—IX. That perfect liberty should be secured of hearing and publishing the proceedings of criminal courts, and no restraint whatsoever should be imposed on the free discussion of the official conduct of the judges and other ministers of justice in this branch of government.—X. That such a system of procedure in criminal cases should be established as to be understood without long study; that it should neither suffer the guilty to escape by formal objections, nor involve the innocent in difficulties by errors in pleading: that for this purpose amendment should be permitted in all cases, where neither the accused nor the public prosecutor can be surprised.—XI. That those penal laws counteract their own effect, which through a mistaken lenity give greater comforts to a convict than those which he would probably have enjoyed while at liberty.—XII. That the power of pardoning should be only exercised in cases of innocence discovered, or of certain and unequivocal reformation.—XIII. That provision should be made for preventing the execution of intended offences wherever the design to commit them is sufficiently apparent.—XIV. That religion is a source of happiness here, and the foundation of our hopes of it hereafter; but its observance can never, without the worst oppression, form the subject of a penal code; that all modes of belief and all forms of worship are equal in the eye of the law; that when they interfere with no public or private rights, all are entitled to equal protection; that whatever may be the majority of the professors of one religion or sect in the state, it is a persecution to enforce any one to conform to any ceremonies, or to observe any festival or day appropriated to worship by the members of a particular religious persuasion: that this, however, does not exclude a general law, establishing civil festivals

or cessations from labour, for civil purposes, connected with religious worship, or the appointment of particular days on which citizens of all persuasions should join, each according to its own rites, in rendering thanks to God for any signal blessing, or emploring his assistance in any public calamity.—XV. That the innocent should never be made to participate in the punishment inflicted on the guilty: that therefore no such effects should follow conviction, as to prevent the heir from claiming an inheritance through or from the person convicted, and that still less should the feelings of nature be converted into instruments of torture by denouncing punishment against the children, to secure the good conduct of the parent.—XVI. That laws intended to suppress a temporary evil should be limited to the probable time of its duration, or carefully repealed after the reason for enacting them has ceased.

Such are the principles upon which this code is established. The foundation upon which the whole superstructure rests is the maxim, that punishment is not vindictive: that vengeance ought to be unknown to the law. It is highly gratifying to find that this maxim, which a few enlightened philosophers have so long and so earnestly endeavoured to impress upon the minds of men, is at length to be reduced to practice; and that in one part of the earth, at least, it is to be made, as it ought to be, the foundation upon which the whole superstructure of punishment is erected. It is, in fact, of the utmost consequence, that this principle should be received as an axiom. There are in this country men of intelligence and candour, who hesitate to admit its truth; in whose minds there appears to be something of the theological notion of crime. As far as it is possible to make out their meaning, they seem to think that there is some intrinsic demerit in crime; some inherent malignity; something of primitive and abstract evil; so that it deserves punishment for something else besides its actual production of bad consequences, or its tendency to promote those consequences. What is that something else? The notion we are considering is by no means a mere speculative opinion: it is practical in the highest degree; it is entertained by no mind which it does not influence in the whole view it takes of offences, and of their remedies. We therefore earnestly solicit the attention of the reader to this point. It seems to us that the doctrine already laid down respecting the nature and object of jurisprudence settles the question. The great, the only end of the science of jurisprudence is the protection of rights. Rights are constituted by the declarations of the legislature; certain acts violate these rights; these acts are crimes. What is it that consti-

tutes them crimes? In what does the essence of their criminality consist? In the violation of some right. What is it in any thing which leads to the establishment of it as a right? Its tendency to produce happiness. What is it in any thing which leads to the selection of it as an object of punishment? Its tendency to produce unhappiness. In this, then, consists the evil of a criminal action. Take away the tendency of a thing to produce unhappiness, and you take away exactly that quality of it which leads to the selection of it as an object of punishment. Thus far the notion of the nature of the essence of crime is clear: we can understand that a certain action is evil, malignant, punishable; we can state with exactness the reason why it is so; we can define with precision the very quality which constitutes the essence of its evil. But attempt to go beyond this—there is then nothing clear, nothing definite; there is, in fact, no idea: there may be a feeling of abhorrence against the act; that feeling may assume a thousand different shapes, and exist in a thousand different degrees of intensity; but every mind that is capable of analyzing its own conceptions, will perceive, that what really constitutes both its abstract notion of the criminality of the act, and its aversion to it, is its tendency to produce misery in some shape or other; and that beyond this it is without any idea whatever. The inference is direct and decisive. It is the tendency of an act to produce unhappiness that renders it evil, that constitutes it a crime; put an end to that unhappiness—prevent its production in future, and the object of penal legislation is accomplished. This is the end it has to effect: having secured this, its work is complete.

In this code, the will of the legislature is established as the only rule: consequently, that class of offences which figures in the English and most other penal codes, under the vague description of offences against the laws of morality, of nature, and of religion, is excluded, and the crude and varying opinions of judges, as to the extent of this uncertain code of good morals, is no longer allowed to usurp the authority of law. It is declared, that no act is punishable which is not expressly forbidden by the letter of the law, under the pretence that it comes within its spirit. On this subject, Mr. Livingston observes:

'By the criminal laws which now govern us, most offences are described in the technical words of the English jurisprudence, and we are referred to it for their explanation: hence our judges have deemed themselves bound to adopt those definitions which have been given by the English courts, and the whole train of constructive offences has been brought into our law. The institution of the trial by jury, the

rare infliction of torture, and, in later times, the law of habeas corpus, gave a decided superiority to the penal law of England, over that of her neighbours. The nation unfortunately mistook this superiority for perfection, and while they proudly looked down on the rest of Europe, and reproached them with their tortures, their inquisitions and their secret tribunals, they shut their eyes to the imperfections of their own code. Prisoners were denied the assistance of counsel; men were executed because they could not read; those who refused to answer, were condemned to die under the most cruel torture. Executions for some crimes, were attended with butchery that would disgust a savage. The life and honour of the accused were made to depend on the issue of a judicial combat. A wretched sophistry introduced the doctrine of corrupted blood. Heretics and witches were committed to the flames. No proportion was preserved between crimes and punishments. The cutting of a twig, and the assassinating of a parent; breaking a fish-pond, and poisoning a whole family, or murdering them in their sleep; all incurred the same penalties, and two hundred different actions, many not deserving the name of offences, were punishable by death. This dreadful list was increased by *the legislation of the judges*, who declared acts which were not criminal under the letter of the law, to be punishable by virtue of its spirit. The statute gave the text, and the tribunal wrote the commentary in letters of blood: and extended its penalties by the creation of constructive offences. The vague and sometimes unintelligible language employed in penal statutes, and the discordant opinions of elementary writers, gave a colour of necessity to this assumption of power, and the English nation have submitted to the legislation of its courts, and seen their fellow subjects hanged for constructive felonies, quartered for constructive treasons, and roasted alive for constructive heresies, with a patience that would be astonishing, even if their written laws had sanctioned the butchery. The first constructive extension of a penal statute beyond its letter, is an *ex post facto* law, as regards the offence to which it is applied; and is an illegal assumption of legislative power, so far as it establishes a rule for future decision. In our republic, where the different departments of government are constitutionally forbidden to interfere with each other's functions, the exercise of this power would be peculiarly dangerous: it was, therefore thought proper to forbid it, by an express prohibition. Some actions injurious to society may, by this means, be permitted for a time, but it was deemed infinitely better to submit to this temporary inconvenience, than to allow the exercise of a power, so much at war with the principles of our government. It may be proper to observe, that the fear of these consequences is not ideal, and that the decisions of all tribunals, under the common law, justify the belief that, without some legislative restraint, our courts would not be more scrupulous than those of other countries, in sanctioning this dangerous abuse. In another part of this code, it is intended to insert a provision, to bring before the legislature, at stated periods, all those cases in which the operation of the law is supposed to fall short of, or to extend beyond, the intention of those who framed it: the defects, if really such, will then be cured

by the power legally authorized to apply the remedy; the harmony of our constitutional distribution of powers will be undisturbed; and the ends of public justice attained with greater regularity and better effect.'

In stating the reason why suicide is not included in the list of offences in this code, it is observed, that suicide can be punished only by making the penalty (whether it be forfeiture or disgrace) fall on the innocent; that while the English mangle the remains of the dead, while the inanimate body feels neither the ignominy nor the pain, the mind of the innocent survivor alone is lacerated by this useless and savage butchery, and the disgrace of the execution is felt exclusively by him, although it ought to fall on the laws which inflict it.

'The father, by a rash act of self-destruction, deprives his family of the support he ought to afford them, and the law completes the work of ruin by harrowing up their feelings, covering them with disgrace, and depriving them by forfeiture of the means of subsistence. Vengeance we have said is unknown to our law: it cannot, therefore, pursue the living offender, much less, with impotent rage, should it pounce, like a vulture, on the body of the dead, to avenge a crime which the offender can never repeat, and which certainly holds out no lure for imitation; the innocent, we have assumed, should never be involved in the punishment of the guilty. But here, not only the innocent, but those most injured by the crime, are exclusively the sufferers by the punishment. We have mentioned as a maxim, that the sole end of punishment is to prevent the commission of crimes: the only means of effecting this, in the present case, must be by the force of example; but what punishment can be devised to deter him, whose very crime consists in the infliction upon himself of the greatest penalty your law can denounce? Unless, therefore, you use the hold which natural affection gives you on his feelings, and restrain him by the fear of the disgrace and ruin with which you threaten his family, your law has no effective sanction; but humanity forbids this: the legislator that threatens it, is guilty of the most refined tyranny. If he carry it into execution, he is a savage. It is either a vain threat, and therefore cannot operate, or if executed with an ill-directed rage, strikes the innocent, because the guilty is beyond its reach.'

The penal laws of most countries have an ample department allotted to offences against religion, because most countries have an established religion which must be supported in its superiority by the penalties of temporal laws. In the country for which this code is intended, where no pre-eminence is acknowledged, but such as is required by persuasion and conviction; where all modes of faith, all forms of worship are equal in the eye of the law, and it is left to that of Omniscience to discover which is the one most pleasing in its sight, here the task of legislation is simple and easily performed. It

consists of a few provisions for scrupulously preserving this equality, and for punishing every species of disturbance to the exercise of all religious rites which do not interfere with public tranquillity.

Thus, the omissions by which this code is distinguished imply the same wisdom as its positive enactments. Among the latter is a remarkable provision for securing the liberty of the press. Any attempt to violate its freedom is constituted an offence. This is new even in the legislation of those governments in which the liberty of the press is best established and most prized.

'It has generally been thought a sufficient protection,' observes this enlightened legislator, 'to declare that no punishment should be inflicted on those who legally exercise the right of publishing; but hitherto no penalties have been denounced against those who illegally abridge this liberty. Constitutional provisions are, in our republics, universally introduced, to assert the right, but no sanction is given to the law: yet do not the soundest principles require it? If the liberty of publishing be a right, is it sufficient to say, that no one shall be punished for exercising it? I have a right to possess my property, yet the law does not confine itself to a declaration that I shall not be punished for using it; something more is done, and it is fenced round with penalties, imposed on those who deprive me of its enjoyments. Why should there be this difference in the protection which the law affords to those different rights? Not certainly because the one in question is considered as of small moment: every bill of rights, since the art of printing has been known, testifies how highly it has been prized. This anomaly may, in states governed by the common law, be accounted for by the reflection, that every breach of a constitutional privilege might be considered as a misdemeanour, and punished as such, although no penalty were contained in the law. But here, where nothing is an offence but that which is plainly and especially declared to be such by the letter of the law, where we have banished all constructive offences, here our code would be incomplete without the insertion of this class.

'All violence or menace of violence, or any other of the means which are enumerated in the code; all exercise of official influence or authority which may abridge this valuable privilege, is declared to be an offence. Nay, the project which will be presented to you goes further, and considering the constitutional provision as paramount to any act of ordinary legislation, and consequently that all laws in derogation of it are void, it declares all those guilty of an offence who shall execute any law abridging or restraining the liberty of the press, contrary to the privilege secured by the constitution. It may be said that this is nugatory, because the same authority which makes the code may repeal it; and that the legislature which could so far forget their duty as to violate the constitution, would certainly abrogate the law by which it was made punishable. To this I answer, that the consequence does not follow. Attacks on constitutional rights are seldom openly or directly made; the repeal of this

part of the code would be an acknowledgment on the part of those who procured it, that they were hostile to the right secured by the constitution. This, in a popular government, no representative would dare to avow; and however desirous a faction might be to get rid of this formidable censor of their principles, operations, and plans, they would never dare openly to declare their fears. But by means of these provisions in your code, all those insidious attempts by which valuable privileges are generally destroyed, will be prevented; the people will be put on their guard against them; and the judiciary will be armed with legal authority for their punishment and suppression.'

Provision is made by this code for the universal promulgation of its enactments. It is so framed that it may be thoroughly understood by every member of the community. With this view it is expressed in the language of common parlance; technical terms are never used when other expressions could be framed to give the same idea; technical terms, however, in many instances, are unavoidable; therefore, whenever a phrase or word is either ambiguous, or employed in any other sense than that which is given to it in common discourse, it is in this code printed in a particular character, which serves as a notice that it is defined and explained. When these definitions shall have been completed, it is intended to submit them to men unversed in the language of the law, and every word not fully understood by them is to be marked for explanation.

It is intended that this code should be universally taught throughout the state, and form an elementary part of education. This design, which is again and again expressed in the course of this report, recognizes the truth of the opinion which we have repeatedly and earnestly stated to be our own; namely, that youth of both sexes, before the usual period of leaving school, are perfectly capable of understanding these subjects. It is of the utmost importance to the well-being of every community, that the minds of its youth should be thoroughly imbued with this kind of knowledge. It is beyond measure more important than a multitude of things on the acquisition of which a vast portion of time and money is lavished; and there is nothing which could inspire us with greater confidence in a legislator, in the penetration of his mind, in the clearness of his ideas, in his freedom from prejudice, and in the sincere and honest intention with which he legislates for the welfare of his country, than his addressing to the legislature the following momentous words —" YOUR CRIMINAL CODE IS NO LONGER TO BE THE STUDY OF A SELECT FEW; IT IS NOT THE DESIGN OF ITS FRAMERS THAT IT SHOULD BE EXCLUSIVELY THE STUDY EVEN OF OUR OWN SEX; AND IT IS PARTICULARLY DESIRABLE, THAT

IT SHOULD BECOME A BRANCH OF EARLY EDUCATION FOR OUR YOUTH."

The difficulty in the formation of a penal code, arising from the want of the previous establishment of a civil code, has already been noticed. In endeavouring as much as possible to obviate this difficulty, which confronts him at almost every step, Mr. Livingston has been led to adopt the only expedient in his power, namely, an extended enunciation of general principles, together with a distinct statement of the reasons in which they are founded. He observes (we quote his own words) that "he has thought it an essential part of his duty to fortify the precepts of the projected code, by assigning the reasons on which they are founded; thus to open the arcana of penal legislation, and to show that the mystery in which it has hitherto been involved was not inherent in the subject, but must disappear whenever its true principles are developed." This is one of the most remarkable peculiarities of this code: it is also one of the most important characters, by which it is distinguished from every other that has hitherto been projected. As a guide to successive legislators; as a check against the ignorance or the wickedness which would undermine or destroy any of its just provisions; as a security for the strict and invariable observance of them in the courts of judicature; and above all, as a means of making them thoroughly understood by the people; of rendering them, in fact, a portion of the public mind, a part of its common stock of information, with which every member of the state should be as familiar as with the routine of his daily avocation—on all these accounts to "fortify the precepts of the projected code, by assigning the reasons on which they are founded," is to do the wisest thing which was ever done by any legislator. If our voice should reach this enlightened man, and if our opinion might influence him in any measure, we would earnestly recommend him to make the enumeration of general principles as full, as comprehensive, and as complete as possible; and, in every instance, to assign, in the clearest manner, the reasons on which they are founded. We are satisfied, that the more he considers this subject, the more he will perceive its vast importance, and we are quite sure, that the more perfectly he executes this part of his task, the more permanence he will give to the institutions he is framing, and the more completely he will secure every beneficial result which he may expect to flow from them.

Among the most important provisions of this code, are those which relate to the proceedings in criminal courts, and to the functions and the conduct of judges. Considerable care has

been taken to lay down the rules of procedure in precise and intelligible language. Provision is made for securing the greatest publicity to all the proceedings of criminal courts. The right to publish an account of all such proceedings, and freely to discuss the conduct of the judges, and of the other officers employed in administering justice, is distinctly recognized. But this is not all. In order to make effectual provision for the diffusion amongst the people of this most important information, a particular officer is appointed, whose duty it is to publish accurate accounts of all trials, remarkable, either for the atrocity of the offence, or the importance of the principles decided in the course of the proceeding. The reason of this enactment is stated to be the following:

'Publicity is an object of such importance in free governments, that it not only ought to be permitted, but must be secured by a species of compulsion. The people must be forced to know what their servants are doing, or they will, like other masters, submit to imposition, rather than take the trouble of inquiring into the state of their affairs. No nation ever yet found any inconvenience from too close an inspection into the conduct of its officers; but many have been brought to ruin, and reduced to slavery, by suffering gradual imposition and abuses, which were imperceptible, only because the means of publicity had not been secured. In modern times, the press is so powerful an engine to effect this, that the nation which neglects to employ it, in promulgating the operations in any department of government, can neither know, nor deserve the blessings of freedom. The important task of spreading this kind of information ought not, therefore, to be left to the chance of private exertion; it must be made a public duty; every one employed in the administration of justice will then act under the conviction, that his official conduct and opinions will be discussed before a tribunal, in which he neither presides, nor officiates. The effects of such a conviction may be easily imagined, and we may fairly conclude, that in proportion to its strength, will be the fidelity and diligence of those upon whom it operates.'

The provisions which relate to the functions of judges are two-fold: those which regard the positive duties which are enjoined upon them, and those which regard the restrictions by which their power is limited. Amongst the duties imposed upon judges, there is one at once so singular and so beneficial, that it deserves very particular notice. "It is provided, that the judge shall, at the request either of the accused, or of the prosecutor, state and record his decisions, WITH THE REASONS ON WHICH THEY ARE FOUNDED." This provision, implying a thorough knowledge of the history of the past, is still more remarkable for the sagacity which has thus suggested, perhaps one of the most effectual securities that can be devised, not

only for the integrity, but for the caution of judges. It would not be easy to estimate too highly, either the singular wisdom of this provision, or the magnitude of the good which will be sure to result from its adoption.

Among the things which the judge is forbidden to do, there is an express prohibition of those charges hitherto so frequently employed as the means of diffusing his political tenets, displaying his eloquence, and sometimes gratifying his passions. Those presentments of the same nature are also forbidden, by which the jury recommend candidates to office, denounce public measures, or eulogize the virtues of men in office. Such proceedings, it is stated, are beneath the dignity of the magistrate, and inconsistent with the sanctity of that body, whose functions of public accusers and guardians of the liberty and reputation of their fellow citizens require calm investigation, undisturbed by intemperate discussions. If, from the very nature of a popular government, party spirit cannot be excluded from the legislative, or even the executive branches; yet it is justly observed, that if once it find admittance to the sanctuary of justice, the vitals of the political constitution will become affected, and there can be no better means of facilitating this corruption, than permitting the judges to make political harangues to a jury who reply by a party presentment.

In England the conduct of judges is frequently altogether subversive of the design of the trial by jury. They distinctly, and even vehemently, state their own conviction of the guilt or innocence of the accused. Not in political cases only, in which this is generally done to a notorious and shameful extent, but even in criminal cases, the charge of the judge to the jury frequently differs in no essential point from the address of the advocate to that body. In order to prevent this most mischievous practice, it is declared in this code, that *the charge of the judge shall be restricted entirely to an opinion of the law.* He is even prohibited from a repetition of the evidence, except when required by some one of the jury. It is stated, that the practice of repeating all the testimony from notes, always from the nature of things imperfectly, not seldom inaccurately, and sometimes carelessly, taken, has a double disadvantage: it makes the jurors, who rely more on the judge's notes than their own memory, inattentive to the evidence; and it gives them an imperfect copy of that, which the trial by jury requires they should record in their own minds. Forced to rely on themselves, the necessity will quicken their attention, and it will only be when they disagree in their recollection, that recourse will be had to the notes of the judge. It is justly observed, that if an

ordinary court of justice be properly called the temple of that high attribute of the Deity, we may, without too far extending the metaphor, term the tribunal of criminal jurisdiction a shrine in that temple: the holy of holies, into which impure or unworthy passion should find no admittance, and where no one ought to officiate until he has put off the habits of ordinary life, and assumed, with the holy robes of his function, that purity of intention, that ardent worship of truth, so inconsistent with the low pursuits of interest, the views of ambition, or the vanity of false talent.'

'Judges are generally men who have grown old in the practice at the bar. With the knowledge which this experience gives, they also acquire a habit very difficult to be shaken off, that of taking a side in every question that they hear debated, and when the mind is once enlisted, their passions, their prejudices, and their professional ingenuity are always arrayed on the same side, and furnish arms for the contest; neutrality cannot under these circumstances be expected: the law should limit, as much as possible, the evil which this almost inevitable state of things must produce. In the theory of our law, the judges are the counsel for the accused: in practice they are, with a few honourable exceptions, his most virulent prosecutors. The true principles of criminal jurisprudence require, that they should be neither. Perfect impartiality is incompatible with these duties. A good judge should have no wish that the guilty should escape, or that the innocent should suffer; no false pity, no undue severity should bias the unshaken rectitude of his judgment; calm in deliberation, firm in resolve, patient in investigating the truth, tenacious of it when discovered, he should join urbanity of manners to dignity of demeanor, and an integrity above suspicion, to learning and talent; such a judge is what, according to the true structure of our courts, he ought to be—the protector, not the advocate, of the accused; and while executing these functions, he is the organ by which the sacred will of the law is pronounced. Uttered by such a voice it will be heard, respected, felt, obeyed; but impose on him the task of argument, of debate; degrade him from the bench to the bar; suffer him to overpower the accused with his influence, or to enter the lists with his advocate, to carry on the contest of sophisms, of angry arguments, of tart replies, and all the wordy war of forensic debate; suffer him to do this, and his dignity is lost, his decrees are no longer considered as the oracles of the law: they are submitted to, but not respected; and even the triumph of his eloquence or ingenuity in the conviction of the accused, must be lessened by the suspicion, that it has owed its success to official influence, and the privilege of arguing without reply. For these reasons the judge is forbidden to express any opinion on the facts which are alleged in evidence, much less to address any argument to the jury; but his functions are confined to expounding the law, and stating the points of evidence on which the recollection of the members of the jury may differ.'

The soundness of the principles which have been adduced in

illustration of the spirit in which this code is framed, the peculiar interest which, it is conceived, the British public must take in the work, and the extreme beauty of several of the passages in which the principles are explained and justified, have tempted us to such an extended detail, as to preclude the possibility of our entering with the like minuteness into the subject of the sanctions of the law. Yet the facts and reasoning adduced by Mr. Livingston under this head are so important, that we feel peculiarly anxious to draw the attention of the people of England to this portion of the work, and especially the attention of its men of letters, of its philosophers, and of the members of its legislature. They deserve on every account the most calm, unprejudiced and serious consideration, and in the present state of the public mind, they must be read by many persons, at least, with intense interest.

After stating that it has been established as a principle, that the law punishes, not to avenge, but to prevent crimes; that it effects this, first, by deterring others by the example of its inflictions on the offender; secondly, by its effect on the delinquent himself, taking away, by restraint, his power; and, by reformation, his desire, of repeating the offence; that no punishments, greater than are necessary to effect this work of prevention, ought to be inflicted; and that those which produce it by uniting reformation with example are the best adapted to the end, several of the modes of punishment which have been, and which still continue, in modern times, to be adopted, are separately considered: namely, banishment; deportation; simple imprisonment; imprisonment in chains; confiscation of property; exposure to public derision; labour on public works; mutilation, and other indelible marks of disgrace; stripes, or the infliction of bodily pain; death. We pass over the objections urged against the adoption of the first five expedients.

'In regard to the pillory, to the stocks, and to the other contrivances for public exposure; to labour in chains, and on the public works; to indelible marks of disgrace (always attended with bodily pain) and the infliction of stripes, it is observed, that all are liable to the same radical objections; they all discard the idea of reformation; all are unequal, and subject to arbitrary imposition; with the exception of public labour, they are all momentary in their application, and when the operation is over, they impose a necessity on the patient, with the alternative of starving, immediately to repeat his offence; he, accordingly, with increased dexterity, commences a new career; forms a corps of similar associates to prey upon society; seduces others by the example of his impunity in the numerous instances in which he escapes detection; swells the list of convictions in those where his vigilance is defeated; and finally becomes a fit subject for the grand remedy—the punish-

ment of death. I approached the inquiry into the nature and effect of this punishment with the awe becoming a man who felt, most deeply, his liability to err; and the necessity of forming a correct opinion on a point so interesting to the justice of the country, the life of its citizens, and the character of its laws. I strove to clear my understanding from all the prejudices which education, or early impressions might have created; and to produce a frame of mind fitted for the investigation of truth, and the impartial examination of the arguments on this great question. For this purpose, I not only consulted such writers on the subject as were within my reach; but endeavoured to procure a knowledge of the practical effect of this punishment on different crimes in the several countries where it is inflicted. In my situation, however, I could draw but a very limited advantage from either of these sources: very few books on penal law, even those most commonly referred to, are to be found in the scanty collections in this place, and my failure in procuring information from the other States, is more to be regretted on this, than any other topic on which it was requested. With these inadequate means, but after the best use that my faculties would enable me to make of them, after long reflection, and not until I had canvassed every argument that could suggest itself to my mind, I came to the conclusion, that the punishment of death should find no place in the code which you have directed me to present. In offering this result, I feel a diffidence, which arises not from any doubt of its correctness: I entertain none: but from the fear of being thought presumptuous in going beyond the point of penal reform, at which the wisdom of the other States has thought proper to stop; and from a reluctance to offer my opinions in opposition to those (certainly more intitled to respect than my own) which still support the propriety of this punishment for certain offences. On a mere speculative question, I should yield to this authority; but here I could not justify the confidence you have reposed in me, were I to give you the opinion of others, no matter how respectable they may be, instead of those which my best judgment assured me were right.

'The example of the other States is certainly entitled to great respect; the greater, because all, without exception, still retain this punishment; but this example loses some of its force, when we reflect on the slow progress of all improvement, and on the stubborn principles of the common law; which have particularly retarded its advance in jurisprudence.

'In England, their parliament had been debating for near a century, before they would take off capital punishment from two or three cases, in which every body allowed it was manifestly cruel and absurd; they have retained it in, at least, an hundred others of the same description; and when we reflect on these facts, and observe the influence which the prevailing opinions of that country have always had on the literature and jurisprudence of ours, we may account for the several States having stopped short in the reform of their penal law, without supposing them to have arrived at the point of perfection, beyond which it would be unwise and presumptuous to pass. As to the authority of great names, it loses

much of its force since the mass of the people have begun to think for themselves; and since legislation is no longer considered as a trade, which none can practise with success but those who have been educated to understand the mystery; the plain matter-of-fact practical manner in which that business is conducted with us, refers more to experience of facts than theory of reasoning; more to ideas of utility drawn from the state of society, than from the opinions of authors on the subject. If the argument were to be carried by the authority of names, that of Beccaria, were there no other, would ensure the victory. But reason alone, not precedent, nor authority, must justify me in proposing to the General Assembly this important change, reason alone can persuade them to adopt it. I proceed therefore to develop the considerations which carried conviction to my mind; but which being perhaps now more feebly urged than they were then felt, may fail in producing the same effect upon others. A great part of my task is rendered unnecessary, by the general acknowledgment, universal, I may say, in the United States, that this punishment ought to be abolished in all cases, except those of treason, murder, and rape. In some states arson is included; and lately, since so large a portion of our influential citizens have become bankers, brokers, and dealers in exchange, a strong inclination has been discovered to extend it to forgery, and uttering false bills of exchange. As it is acknowledged, then, to be an inadequate remedy for minor offences, the argument will be restricted to an inquiry, whether there is any probability that it will be more efficient in cases of greater importance. Let us have constantly before us, when we reason on this subject, the great principle, that the end of punishment is the prevention of crime. Death, indeed, operates this end most effectually, as respects the delinquent; but the great object of inflicting it is the force of the example on others. If this spectacle of horror is insufficient to deter men from the commission of slight offences, what good reason can be given to persuade us that it will have this operation where the crime is more atrocious? Can we believe, that the fear of a remote and uncertain death will stop the traitor in the intoxicating moment of fancied victory over the constitution and liberties of his country? While in the proud confidence of success, he defies heaven and earth, and commits his existence to the chance of arms, that the dread of this punishment will "check his pride," force him, like some magic spell, to yield obedience to the laws, and abandon a course, which he persuades himself, makes a "virtue" of his "ambition." Will it arrest the hand of the infuriate wretch, who, at a single blow, is about to gratify the strongest passion of his soul in the destruction of his deadliest enemy? Will it turn aside the purpose of the secret assassin, who meditates the removal of the only obstacle to his enjoyment of wealth and honours? Will it master the strongest passions and counteract the most powerful motives, while it is too weak to prevent the indulgence of the slightest criminal inclination? If this be true, it must be confessed, that it presents a paradox which will be found more difficult to solve, when we reflect that great crimes are, for the most part, committed by men, whose long habits of guilt have familiarized them with the idea of death; or to whom strong passions or natural

courage have rendered it, in some measure, indifferent; and that the cowardly poisoner or assassin always thinks that he has taken such precautions as will prevent the risk of discovery. The fear of death, therefore, will rarely deter from the commission of great crimes. It is, on the contrary, a remedy peculiarly inapplicable to those offences. Ambition, which usually inspires the crime of treason, soars above the fear of death; avarice, which whispers the secret murder, creeps below it; and the brutal debasement of the passion that prompts the only other crime thus punished by our law, is proverbially blind to consequences, and regardless of obstacles that impede its gratification—threats of death will never deter men who are actuated by these passions; many of them affront it in the very commission of the offence, and therefore, readily incur the lesser risk of suffering it, in what they think the impossible event of detection. But present other consequences more directly opposed to the enjoyments which were anticipated in the commission of the crime, make those consequences permanent and certain, and then, although milder, they will be less readily risked than the momentary pang attending the loss of life: study the passions which first suggested the offence, and apply your punishment to mortify and counteract them. The ambitious man cannot bear the ordinary restraints of government—subject him to those of a prison; he could not endure the superiority of the most dignified magistrate—force him to submit to the lowest officer of executive justice; he sought, by his crimes, a superiority above all that was most respectable in society—reduce him, in his punishment, to a level with the most vile and abject of mankind. If avarice suggested the murder, separate the wretch for ever from his hoard; realize the fable of antiquity—sentence him, from his place of penitence and punishment, to see his heirs rioting on his spoils; and the corroding reflection, that others are innocently enjoying the fruits of his crime, will be as appropriate a punishment in practical, as it was feigned to be in poetical, justice. The rapacious spendthrift robs to support his extravagance, and murders to avoid detection; he exposes his life that he may either pass it in idleness, debauchery, and sensual enjoyments, or lose it by a momentary pang—disappoint his profligate calculation; force him to live, but to live under those privations which he fears more than death; let him be reduced to the coarse diet, the hard lodging, and the incessant labour of a penitentiary.

'Substitute these privations which all such offenders fear, which they have all risked their lives to avoid; substitute these to that death which has little terror for men whose passions or depravity have forced them to plunge in guilt; and you establish a fitness in the punishment to the crime: instead of a momentary spectacle, you exhibit a lesson that is every day renewed; and you make the very passions which caused the offence, the engines to punish it, and prevent its repetition.

'Reformation is lost sight of in adopting this punishment, but ought it to be totally discarded? May not even great crimes be committed by persons, whose minds are not so corrupted, as to preclude the hope of this effect. They are, sometimes, produced by a single error. Often are the consequences of a concatenation of circumstances never likely

again to occur, and are very frequently the effect of a momentary hallucination, which, though not sufficient to excuse, ought sometimes to palliate the guilt; yet the operation of these several causes, the evident gradation in the degrees of guilt which they establish, are levelled before this destructive punishment. The man, who, urged by an irresistible impulse of nature, sacrifices the base seducer who has destroyed his domestic happiness; he who, having been calumniated, insulted, and dishonoured, at the risk of his own life takes that of the slanderer; are, in the eye of this harsh law, equally deserving of death with the vile assassin who murders for hire or poisons for revenge; and the youth, whose weakness in the commission of a first offence has yielded to the artful insinuations, or overbearing influence of a veteran in vice, must perish on the same scaffold with the hardened and irreclaimable instigator of his crime. It may be said, that the pardoning power is the proper remedy for this evil; but the pardoning power, in capital cases, must be exercised, if at all, without loss of time; without that insight into character which the penitentiary system affords. It is, therefore, necessarily liable to abuse; and there is this further objection to its exercise, that it leaves no alternative between death and entire exemption from punishment; but in every degree of crime some punishment is necessary; the novice, if subject to no reclaiming discipline, will soon become a professor in guilt; but let the corrective be judiciously applied, and its progress will discover whether he may be again trusted in society, or whether his depravity is so rooted, as to require continued confinement.

'In coming to a resolution on this solemn subject, we must not forget another principle we have established, and, I think, on the soundest reasons, that other things being equal, the punishment should be preferred which gives us the means of correcting any false judgment, to which passion, indifference, false testimony, or deceiving appearances may have given rise. Error from these, or other causes, is sometimes inevitable; its operation is instantaneous, and its fatal effects, in the punishment of death, follow without delay: but time is required for its correction; we retrace our steps with difficulty; it is mortifying to acknowledge that we have been unjust; and during the time requisite for the discovery of the truth, for its operation on our unwilling minds, for the interposition of that power which can alone stop the execution of the law, its stroke falls, and the innocent victim dies. What would not then the jurors who convicted, the judges who condemned, the mistaken witnesses who testified his guilt; what would not the whole community who saw his dying agonies, who heard, at that solemn moment, his fruitless asseverations of innocence; what would they not all give to have yet within their reach the means of repairing the wrongs they had witnessed or inflicted?

'Instances of this kind are not unfrequent; many of them are on record; several have taken place in our own day; and a very remarkable example which was given but a few years since, in one of the northern states, shews, in a striking manner, the danger of those punishments which cannot be recalled or compensated, even though the innocence of

the sufferer is rendered clear to demonstration. A few such instances, even in a century, are sufficient to counteract the best effects that could be derived from example. There is no spectacle that takes such hold on the feelings, as that of an innocent man suffering under an unjust sentence; one such example is remembered when twenty of merited punishment are forgotten; the best passions take part against the laws, and arraign their operation as iniquitous and inhuman. This consideration alone, then, if there were no others, would be a most powerful argument for the abolition of capital punishments; but there are others no less cogent.

'To see a human being in the full enjoyment of all the faculties of his mind, and all the energies of his body; his vital powers attacked by no disease, injured by no accident; the pulse beating high with youth and health; to see him doomed by the cool calculation of his fellow-men to certain destruction, which no courage can repel, no art or persuasion avert; to see a mortal distribute the most awful dispensations of the Deity, usurp his attributes, and fix, by his own decree, an inevitable limit to that existence which Almighty power alone can give, and which its sentence alone should destroy; must give rise to solemn reflections, which the imposing spectacle of a human sacrifice naturally produces, until its frequent recurrence renders the mind insensible to the impression. But in a country where the punishment of death is rarely inflicted, this sensation operates in all its force; the people are always strongly excited by every trial for a capital offence; they neglect their business, and crowd round the court; the accused, the witnesses, the counsel, every thing connected with the investigation becomes a matter of interest and curiosity; when the public mind is screwed up to this pitch, it will take a tone from the circumstances of the case, which will rarely be found to accord with the impartiality required by justice.

'If the accused excite an interest from his youth, his good character, his connections, or even his countenance and appearance, the dreadful consequences of conviction, and that, too, in the case of great crimes, as well as minor offences, lead prosecutors to relax their severity, witnesses to appear with reluctance, jurors to acquit against evidence, and the pardoning power improperly to interpose. If the public excitement take another turn, the consequences are worse; indignation against the crime is converted into a ferocious thirst for vengeance; and if the real culprit cannot be found, the innocent suffers on the slightest presumption of guilt; when public zeal requires a victim, the innocent lamb is laid on the altar, while the scape-goat is suffered to fly to the mountain. This savage disposition increases with the severity and frequency of capital inflictions, so that, in atrocious as well as in lighter offences, this species of punishment leads sometimes to the escape of the guilty, often to the conviction of the innocent.

'Whoever has at all observed the course of criminal proceedings, must have witnessed what I have just endeavoured to describe; undeserved indulgence; unjust severity; opposite effects proceeding from the same cause; the unnecessary harshness of the punishment.

'But when no such fatal consequences are to be the result, the course of justice is rarely influenced by passion or prejudice. The evidence is produced without difficulty, and given without reluctance; it has its due effect on the minds of the jurors, who are under no terrors of pronouncing an irremediable sentence; and pardons need not be granted, unless innocence is ascertained, or reformation becomes unequivocal.

'Another consequence of the infliction of death is, that, if frequent, it loses its effect; the people become too much familiarised with it to consider it as an example; it is changed into a spectacle, which must frequently be repeated to satisfy the ferocious taste it has formed. It would be extremely useful in legislation, if the true cause could be discovered of this atrocious passion for witnessing human agonies, and beholding the slaughter of human beings. It has disgraced the history of all nations; in some it gave rise to permanent institutions, like that of the gladiators in Rome; in others it has shown itself like a moral epidemic, which raged with a violence proportioned to the density of the population, for a limited time, and then yielded to the influence of reason and humanity. Every people has given us instances of this delirium; but the religious massacre of St. Bartholomew, and the political slaughters during the reign of terror in France, exemplify, in a striking manner, the idea I mean to convey. The history of our own country, young as it is, is not free from this stain. The judicial murder of the wizards and witches of New England, and of a great number of poor wretches, during, what was called, the Negro plot at New York, furnish us with domestic lessons on this subject. The human sacrifices which we find in the early history of almost every nation, proceeded from another cause, the idea of vicarious atonement for sins; but they were attended with the same heart-hardening effect. Human sufferings are never beheld, for the first time, but with aversion, terror, and disgust. Nature has strongly implanted this repugnance in our mind for the wisest purposes: but this once conquered, it happens in the intellectual taste, as it does in that of the senses, in relation to which last, it is observed, that we become most fond of those enjoyments which required, in the beginning, some effort to overcome the disgust produced by their first use; and that our attachment to them is in proportion to the difficulty which was conquered in becoming familiarised to them. Whatever may be the cause of this striking fact in the history of the human mind, its effects ought to be studied by the legislator who desires to form a wise and permanent system. If the sight of one capital execution creates an inhuman taste to behold another; if a curiosity, satisfied at first with terror, increases with its gratification, and becomes a passion by indulgence, we ought to be extremely careful how, by sanctioning the frequency of capital punishments, we lay the foundation for a depravity, the more to be dreaded, because, in our government, popular opinion must have the greatest influence on all its departments, and this vitiated taste would soon be discovered, in the decisions of our courts and the verdicts of our juries.

'But if this punishment is kept for great occasions, and the people are seldom treated with the gratification of seeing one of their fellow

creatures expire by the sentence of the law, a most singular effect is produced; the sufferer, whatever be his crime, becomes a hero or a saint; he is the object of public attention, curiosity, admiration, and pity. Charity supplies all his wants, and religion proves her power, by exhibiting the outcast and murderer, though unworthy to enjoy existence upon earth, yet purified from the stain of his vices and crimes, converted by her agency into an accepted candidate for the happiness of heaven; he is lifted above the fear of death by the exhortations and prayers of the pious; the converted sinner receives the tender attentions of respectability, beauty, and worth; his prison becomes a place of pilgrimage, its tenant, a saint awaiting the crown of martyrdom; his last looks are watched with affectionate solicitude; his last words are carefully remembered and recorded; his last agonies are beheld with affliction and despair; and after suffering the ignominious sentence of the law, the body of the culprit, whose death was infamy, and whose life was crime, is attended respectfully and mournfully to the grave, by a train that would not have disgraced the obsequies of a patriot or a hero. This sketch, though highly coloured, is drawn from life; the inhabitants of one of the most refined and wealthy of our state capitals sat for the picture; and although such exalted feelings are not always excited, or are prudently repressed, yet they are found in nature; and in whatever degree they exist, it cannot be doubted, that in the same proportion they counteract every good effect that punishment is intended to produce. The hero of such a tragedy can never consider himself as the actor of a mean or ignoble part; nor can the people view in the object of their admiration or pity, a murderer and a robber, whom they would have regarded with horror, if their feelings had not been injudiciously enlisted in his favour. Thus the end of the law is defeated, the force of example is totally lost, and the place of execution is converted into a scene of triumph for the sufferer, whose crime is wholly forgotten, while his courage, resignation, or piety, mark him as the martyr, not the guilty victim, of the laws.

'Where laws are so directly at war with the feelings of the people whom they govern, as this, and many other instances prove them to be, these laws can never be wise or operative, and they ought to be abolished.

Quid leges sine moribus vanæ proficiunt? But if laws unsupported by the morals of the people are inefficient, how can we reasonably expect that they will have any effect, when they are counteracted by moral feelings as well as by ideas of religion. This is the effect of capital punishments in a country where they are not commonly inflicted. Let us now see what is their result, where they are unhappily too frequent.

'In England a great portion of the eloquence and learning, and all the humanity of the nation are at work, in an endeavour, not to abolish the punishment of death (that proposition would be too bold in a government where reform in any department, might lead to revolution in all), but to restrict it to the more atrocious offences. This has produced a parliamentary inquiry, in the course of which the reports to which I have alluded before were made. One of them contains the examina-

tions of witnesses before a committee of the House of Commons. From one of these, that of a solicitor who had practised for more than twenty years in the criminal courts, I make the following extracts:—

'"In the course of my practice, I have found, that the punishment of death has no terror upon a common thief; indeed, it is much more the subject of ridicule among them than of serious deliberation. The certain approach of an ignominious death does not seem to operate upon them, for after the warrant has come down I have seen them treat it with levity. I once saw a man, for whom I had been concerned, the day before his execution, and on offering him condolence, and expressing my concern at his situation, he replied with an air of indifference, 'players at bowls must expect rubbers,' and this man I heard say, that it was only a few minutes, a kick and a struggle, and all was over. The fate of one set of culprits, in some instances, had no effect, even on those who were next to be reported for execution; they play at ball and pass their jokes as if nothing was the matter. I have seen the last separation of persons about to be executed, there was nothing of solemnity about it, and it was more like the parting for a country journey, than taking their last farewell. I mention these things, to shew what little fear common thieves entertain of capital punishment, and that so far from being arrested in their wicked courses by the distant possibility of its infliction, they are not even intimidated by its certainty."'

'Another of these respectable witnesses (a magistrate of the capital) being asked, whether he thought that capital punishment had much tendency to deter criminals from the commission of offences, answered, "I do not. I believe it is well known to those who are conversant with criminal associations in this town, that criminals live and act in gangs and confederacies, and that the execution of one or more of their body, seldom has a tendency to dissolve the confederacy, or to deter the remaining associates from the continuance of their former pursuits. Instances have occurred within my own jurisdiction to confirm me in this opinion. During one sitting as a magistrate, three persons were brought before me for uttering forged notes. During the investigation, I discovered that those notes were obtained from a room in which the body of a person named Wheller (executed on the preceding day, for the same offence) then laid, and that the notes in question were delivered for circulation by a woman with whom he had been living. This is, (he adds) a strong case, but I have no doubt that it is but one of very many others."'

Here, then, is the case of a woman who delivered forged notes for circulation, from the very room in which the dead body of the executed forgerer at that very moment lay; the execution having taken place on the day preceding, and the criminal executed, probably the forger of those very notes, being a man with whom she had been living. How idle is it to talk of the punishment of death as an example—of its power to

deter others from the commission of the like offences, how worse than foolish to continue to repeat this theory, and to legislate with a reference to it, when the experience of life exhibits such facts as these, and when those whose official situations afford them the best means of judging, declare that they are common and ordinary occurrences! No circumstances which the imagination could possibly invent, could show the inefficacy of this punishment in so striking a light as this proof of it derived from real life.

'The ordinary of Newgate, a witness better qualified than any other to give information on this subject, being asked, "have you made any observations as to the effect of the sentence of death upon the prisoners?" Answers—"It seems scarcely to have any effect upon them; the generality of people under sentence of death are thinking, or doing rather, anything than preparing for their latter end." Being interrogated as to the effect produced by capital executions on the minds of the people, he answers, "I think shock and horror at the moment, upon the inexperienced and the young, but immediately after the scene is closed, forgetfulness of it altogether, leaving no impression on the young and inexperienced. The old and experienced thief says, the chances have gone against the man who has suffered; that it is of no consequence; that it is what is to be expected; making no serious impression on the mind. I have had occasion to go into the press-yard within an hour and a half after an execution, and I have there found them amusing themselves, playing at ball or marbles, and appearing precisely as if nothing had happened."

'No colouring is necessary to heighten the effect of these sketches. Nothing, it appears to me, can more fully prove the utter inutility of this waste of human life, its utter inefficiency as a punishment, and its demoralizing operation on the minds of the people.'

We cannot enter into the statement of the reasons which have induced this truly enlightened legislator to propose the abolition of the punishment of death even for the crime of murder. He discusses the subject in a most masterly manner; the reader, we are persuaded, will now need no assurance of this; we may add, that the investigation is conducted throughout with the utmost candour, and we deeply feel that we could render no better service to our country, than by inducing our countrymen, had we the power to induce them, not only to read, but seriously to consider the important facts which he adduces on this and on the preceding head.

We must not, however, omit to point out a singular defect in this part of the code. It is justly observed, as we have seen, that there is an essential evil in those punishments which admit not of the possibility of being recalled or compensated, even

when the innocence of the sufferer is demonstrated; but the more obvious truth, that punishment ought, as often as possible, to be compensative to the injured party, is almost entirely overlooked. Yet it is self-evident, that when an injury has been committed, the delinquent ought to be made, as often and as completely as possible, to repair it. Compensation to the injured party, ought to form a fundamental part of every penal infliction, whenever the nature of the case will admit of it. Some offences, it is true, are not reparable in any mode, or in any measure: in the majority of offences, however, which consist of offences against property, compensation can be afforded in a greater or a less degree, and in every such case there is the utmost propriety in securing this species of satisfaction by the punishment imposed. When the delinquent is rich, pecuniary satisfaction might be made a part of his punishment; punishment of another kind, it may be necessary to superadd, but there is an obvious propriety in making this a part of it. When the delinquent has no property, his labour might be made the means of affording the requisite compensation. "Hard labour with the most economical fare, till the produce of the labour equals the amount of the satisfaction required," says the author of Jurisprudence, "is a species of punishment recommended by the strongest considerations. It is not said, that labour so limited would always be sufficient punishment, and there are many cases in which it would be too much; but even then, it should go as far as it can in the one case, and as far as it ought in the other." Again, "when the injury is done to reputation, there is a manifest propriety in making the injurer contribute to the reparation, wherever it can be done. In many of the cases, too, the proper mode is abundantly obvious: all those, for example, where the publication of falsehood is the injurious act. The author of the injury may, in a way as public as that of the offence, and as well calculated as possible for the reparation of the injury, be obliged to declare, that he has been solemnly adjudged to have propagated a falsehood, and is condemned to publish his own shame." It is certainly a capital defect in this part of the code, that this fundamental rule in the regulation of punishment is entirely overlooked.

We regret, that we are compelled by want of room to pass over the admirable observations which are made on writs of habeas corpus; there is, however, one passage relating to this subject which we must not omit. In examining the different enactments of this justly celebrated statute, he observes—

'Every friend of freedom must be grateful to its authors for the extensive and, it is devoutly to be hoped, the lasting benefit they have conferred on mankind. Ten millions of freemen have already consecrated it among their fundamental rights, and the rising republics of the New World will not fail to adopt so precious an institution, when they review, and finally establish their constitutional compacts. This is the greatest glory a wise nation can desire; to see its principles recognized; its institutions adopted; its laws copied, not only by men speaking the same language, and bred in a similarity of manners, but translated into different languages, adapting themselves to different habits, incorporated in different codes, and in all acknowledged as the first of blessings. And the trial of a cause by an independent jury, on the banks of La Plata, on the Oroonook; or the writ of habeas corpus, adopted by a representative assembly in Mexico, or Peru, ought to afford more satisfaction to an Englishman who loves the honour of his country, than the most splendid triumph of her arms. We must not, however, suffer our admiration of any institution to blind us to its faults; or prevent us, when we are about to adopt it, from scrutinizing severely all its provisions, and carefully inquiring, whether in its operation defects have not been discovered, which a prudent attention might amend. In examining the English statute with this view, some important omissions have been observed, and in the project presented to you, an attempt has been made to remedy them.'

We cannot conclude this notice of his labours, without joining our feeble voice to that of the legislative assembly, for which he is preparing this code, and "earnestly soliciting Mr. Livingston to prosecute his work" in the spirit of this Report. In England the eyes of its most enlightened philosophers, of its best statesmen, and of its most devoted philanthropists, will be fixed upon him; and in his own country, his name must be had "in everlasting remembrance," venerated and loved. He is one of those extraordinary individuals whom nature has gifted with the power, and whom circumstances have afforded the opportunity, of shedding true glory and conferring lasting happiness on his country; and of identifying his own name with its freest, and most noble, and most perfect institutions.

ART. V. *The Library Companion; or, the Young Man's Guide, and the Old Man's Comfort, in the Choice of a Library.* By the Rev. T. F. Dibdin, F.R.S. A.S. Harding, Triphook and Lepard: and J. Major. 8vo. pp. 963.

OF the particular kind of literary reputation which Mr. Dibdin enjoys we are well aware, as well as of the particular class of literary men among whom his reputation is the highest; and we have examined his publications sufficiently to convince ourselves, that this reputation has not been acquired undeservedly. A prudential regard to our purse has, indeed, prevented us from purchasing his most elaborate, *technical* (if we may be allowed the term), and splendid performances; and a conscientious regard to the value of our time, prevented us from reading them. Nevertheless, we have seen enough of his authorship, to ascertain that, however well merited Mr. Dibdin's reputation may be, as an experienced and skilful connoisseur in books, whose chief or only recommendation is, that they are first editions, or printed during the infancy of typography, or as rare as the fabled Phœnix; and however highly prized or even indispensable his knowledge and labours may be among those who seek after books solely on these accounts; yet that the very basis of this reputation is utterly inadequate to support such a superstructure as is indicated by the title we have just copied.

We are always doubtful and suspicious of the real information possessed by collectors of books, minerals, shells, or any other materials and sources of science; and we have uniformly found that, in proportion as the rage for collecting gained strength, the inclination, and, subsequently, as well as consequently, the ability to profit by what was collected, diminished. The observation, and perhaps the experience, of our readers will bear us out in the truth and soundness of this position, even if exclusively applied to the collectors of those books that are really and extensively valuable and useful. We may add, however, as some palliation of the folly of such collectors, that though they may be unable or indisposed to draw literature and science from their books, yet that literature and science may be drawn from them by others. But neither this nor any other palliation, that we are aware of, can be offered for those collectors of whom Mr. Dibdin is the High Priest. Their money and time are wasted in the acquisition of worthless lumber; from which it is impossible for the most ingenious student to extract one tenth as much food for the judgment or the taste, as might

be extracted by any common student from books that did not cost one tenth of their price.

It has been aptly termed a Bibliomania; and Mr. Dibdin must not be surprised or offended if we maintain, that one of the most natural and common consequences of this mania (as well as of all the other species of mania), must disqualify him for the task which he has undertaken. Candour suggested the expectation, or at least the hope, that Mr. Dibdin, before he began his new work, and during the whole time he was occupied with it, would hermetically seal up his eyes, his ears, and his thoughts, from the access of every thing in the most remote or slightest degree connected or associated in his mind with first and rare editions. We had the folly to hope that he would not even breathe the atmosphere of Althorp, or of any of the libraries of his bibliomaniacal patrons: and that he would summon up still greater resolution and forbearance—lock up all his former works—not excepting his introduction to the Classics—and surround himself exclusively with books not averaging ten shillings a volume. Even though these precautions should be taken, the danger appeared to us extremely great. It is well known, that in other species of mania, no symptoms of it appear while the discourse and thoughts are kept aloof from the particular subject, but that no sooner is the most remote and transient allusion made to this subject, than unequivocal indications strongly manifest themselves. Our worst fears are realized, poor Mr. Dibdin is mad from title-page to colophon.

It must be confessed the title is encouraging—Young Man's Guide—Old Man's Comfort—in the Choice of a Library. There is surely no Roxburgher so absurd as to imagine this description would suit a raving volume about his dear *Libri Rarissimi:* and, again, he broadly states, in the first page of the preface that, "From the beginning to the end I have never lost sight of what I considered to be the MOST MATERIAL OBJECT to be gained from a publication of this nature: namely, the imparting of a *moral feeling* to the gratification of a *literary taste.*" After this express declaration of the chief object of the work, which is calculated and intended to catch the eye, arrest the attention, and rouse the expectations and interest of the reader, by the capitals and italics in which it is clothed—surely a work in the least bibliomaniacal could not be anticipated. How can a moral feeling be imparted, or a literary taste either formed or gratified, by creating or nourishing a depraved appetite for costly, rare, and useless works? And how can that work be justly styled the

Young Man's Guide, and the Old Man's Comfort, in the Choice of a Library, three fourths of the pages of which are filled with notices and recommendations of books which can neither instruct the young nor console the old: many of which cannot be obtained at any price, and none, except at a price infinitely above the intrinsic value. Nor is this all: this Young Man's Guide and Old Man's Comfort, contains frequent references to Mr. Dibdin's other publications—his Bibliomania; Bibliographical Decameron: Typographical Antiquities, and Bibliotheca Spenceriana, as if the bibliomaniacal contents of the present work were not sufficient of themselves to pervert (if he could pervert) the literary habits and taste of his readers.

The public have a just right to complain of an author, when his work does not contain the information which might fairly be expected from it: they have lost their money in the purchase, and their time in the perusal: if the work is of a practical nature, they may also complain, if by it they are induced to adopt plans in their particular lines of business, which either do not answer, or are positively injurious. Mr. Dibdin's may be considered as a practical book: it professes to give directions and advice with regard to the expenditure of money in a library. If, then, any of its readers are induced by perusing it to spend their money on high-priced books, whose sole value is in their scarcity, or on editions of really good books, which, simply because they are very old and rare, or because they are on vellum, or large-paper copies, or for some other reason equally ridiculous, cost a great deal more than much more instructive and useful editions, have they not just reason to complain of Mr. Dibdin? Have they not given their money for a library, most of the books in which can be neither the teachers of their youth, nor the comforts of their old age, which neither impart a "moral feeling," nor gratify "a literary taste."

Should any person, therefore, have been unfortunate enough to have expended their thirty shillings in a Guide or a Comfort according to their circumstances, and, though grievously disappointed, still, like wise men, be anxious to get something out of the book for their money, let them take this warning—Whenever any book or particular edition is dwelt upon at great length in the text, notes, and sub-notes, and Mr. Dibdin breaks forth into raptures, generally expressed in very bad taste, at its extreme rarity, its uncut leaves, original binding, &c., and congratulates himself at having seen and handled it—let them resolutely determine *not* to purchase that book:

'Hic NIGER est, hunc, tu, Romane, caveto.'

On books which are professedly and exclusively written to serve as guides to those who, having more money than wit, are anxious to become worthy members of the Roxburghe Club —we should not have stepped an inch out of our way to offer any remarks. For, of no corporeal disease should we form such gloomy apprehensions, as of that diseased literary appetite termed Bibliomania. It has been a matter of serious dispute, whether the mildew in wheat proceeds from its weak and unhealthy state, or whether it is the cause of its debility and unfruitfulness; probably the debility of the plant, and the growth of the mildew, act reciprocally on each other. In like manner, the doubt which has been raised, whether bibliomania produces weak judgment, or arises from some lurking debility of mind, may perhaps be solved by a similar hypothesis: if so, the cause and effect, being interwoven, and continually alternating in their respective characters, not only is a cure almost desperate, but, if accomplished, the quality of the intellect thus restored to health, could hardly compensate the trouble. The topic of bibliomania having, however, been most improperly and absurdly mixed up, in so very large a portion, and so intimately, with a work which professes to be a library companion—the Young Man's Guide, and the Old Man's Comfort, in the Choice of a Library, we should have most blameably failed in the discharge of our duty, if we had not most strongly put them on their guard against this bibliomaniacal volume.

As, however, it is not all of this description, it may be as well to inquire whether the comparatively few pages which are devoted to the notice of such books as a member of the Roxburghe Club would despise, and every other man would purchase and peruse with pleasure, are executed with that degree of information, judgment, and taste, which may safely recommend them as a guide in the selection of a library.

A work, such as, in our opinion, ought to have been sent forth to the public, should have been, in its plan and contents, adapted to as large a number of readers as possible, or, in other words, it ought to have had in view the formation of a general library, such as would suit and satisfy the information and taste of the largest class of well-educated persons. But, in order to attain this end, it was perhaps more necessary to ponder well on what books ought not to be described and recommended, than on those which ought to be admitted. The Library Companion ought, therefore, not to be such as would enable the classical scholar, the divine, the politician, the natural philosopher, the chemist, or the natural historian, to form his library: if it embraced these and similar objects, it must necessarily be either of most

unwieldy size and enormous price, or it must exclude many books proper and desirable for general readers. If any one of these descriptions of persons wishes to form a professional library, he ought to consult a professional and exclusive catalogue, and look into the Library Companion only for those works, which might enable him to add to his professional library the means and sources of general information. On the other hand, the general reader, whose line in life does not require that he should study any subject exclusively, or very deeply and extensively, should not, in the Library Companion, meet with works solely adapted to professional students.

Works on History and Biography, Voyages and Travels, are amongst the most popular and common sources of interest and instruction. They ought, therefore, to form a numerous class in the Library Companion; but in it, he who was anxious to go deeply, critically, and minutely into any particular point of history or geography, should not find materials for his particular line of study; for it could not be made full, or highly useful in this respect, without some inroad on its completeness and utility as a general Library Companion.

The Library Companion ought not to admit very voluminous or very expensive books, because these are incompatible with the time, the purse, and the reading of those for whom such a work ought to be specially and peculiarly adapted: and, indeed, ought to be purchased and perused only by those, who have some particular object of research in view, or from their circumstances are justified and enabled to form their library with a combined reference to its size, splendor, and utility.

Having thus stated what, in our opinion, the Library Companion ought not to contain, it will be easy, and will not detain us long, to state what, in our opinion, it ought to contain. It ought to contain all those works the study of which must tend to increase the intellectual and moral excellence of the general reader. Those works, by which his duties as a citizen are pointed out, his relations with society defined, and the means of making himself useful and of increasing the happiness of mankind, clearly laid down. It ought at the same time to abound in those works, which, while they arrest the attention, enlarge the reader's knowledge of the world, past and present, and of the condition of his fellow men wherever fate has placed them. It ought to be most ample and particular in its catalogue, and description of all works on History, Biography, Morals, Belles Lettres, &c.; in short, of all works that relate to subjects which interest all, which all can understand and relish, without their education, and studies, or pursuits having been

exclusively or particularly directed to them; works, which all may find leisure, even in the midst of an active and busy life, to peruse, and on the subjects of which all would be ashamed to manifest ignorance.

In the present diffusion of knowledge it is indispensably necessary, that a Library Companion should instruct its readers in the selection of elementary and popular works of science, that thus their libraries may correspond with their information, and extend it, and their information may be on a level with that of their age, and country.

On these grand branches, therefore, literature, most extensively, and science, in a more confined, general, and popular form, the Library Companion ought to be a most instructive and safe guide. But of all works there are various editions; and the Library Companion would only perform half its duty and its object, if it were silent on this topic. What then ought to be the general rule on which it should proceed with regard to them? It appears to us to be very obvious and simple: that edition which contains the most correct text, and the latest additions and corrections of the author or editor, ought to be preferred in all cases to the mere outside and inside show of the book. More discrimination and judgment are requisite in the case of those works which have been published with notes: the tendency of notes often is, to save the reader the trouble of reflection; here they are actually an evil, and ought to be avoided; they are more frequently numerous and long on points of the text which do not require them, and are sought for in vain when a real obscurity or difficulty occurs: or, if appended, only increase what they ought to have removed. In these cases they are either useless, or positively injurious to the reader, and therefore ought to be avoided. But where notes direct research, or save the labour of it; when they are full and satisfactory when really needful; and stimulate and strengthen the intellect, rather than encourage indolence and torpor—in these cases, editions with notes ought to be described and recommended.

On what principle should a work that professes to be a guide for the formation of a library, proceed with respect to classical and foreign literature? Such a work, to fulfil all its legitimate purposes, and none other, ought not to be a guide to the professed and critical classic, nor to those who wish to form an extensive French, German, Italian, or Spanish library; but so far as regards the classics, it ought to be confined to such works as are most generally read and understood by those who wish to retain, and perhaps extend, their

knowledge of Greek and Latin, and to those editions which give the most correct text, and the most useful and condensed notes. French literature constitutes so general and necessary an accomplishment in modern education, that the Library Companion ought to point out all the best authors in that language, at least on the subjects of Morals, History, Biography, Belles Lettres, and the best Voyages, Travels, and Poetry. With respect to books in the German, Italian, Spanish, &c. the selection in these branches must entirely depend upon the proficiency acquired in the language, and the taste of the proprietor. It cannot be too often or strongly enforced, that a Library Companion, if rendered the peculiar guide to any particular class of scientific men or scholars, or if it devotes a large portion of its pages to their use, is so far at variance with its proper character and object, and sacrifices general to partial utility. Of course the best translations of classical and foreign writers, where the subjects are of the nature we have pointed out, ought to be mentioned and described.

It is totally impossible, in a review, to act upon the notions which would have guided us in the selection of a library of general utility. We must confine ourselves to pointing out, in the very partial, and ill-arranged departments, under which, Mr. Dibdin has classed the works he recommends, the deficiencies which a cursory perusal suggests to us. To supply the important, the most important, branches he has omitted, would be to write another Library Companion; but, by showing how incapable he is of acting up to his own narrow views, we may undeceive those good people who might otherwise put their trust in him, and fancy that a perfect library could be comprised under his general heads. We, therefore, take him on his own ground; we suppose that he is possessed of a few grains of knowledge adapted to the performance of his task; we grant that he has a glimpse into the real use and end of reading, and we conceal for a moment that he is a man, pretending to recommend to the world a library, who with his present qualifications, natural and acquired, could not, were he to write till doomsday, enlighten his generation on one single subject, nor increase the happiness, or advance the progress of mankind one jot.

Let us attend to what Mr. Dibdin has done, and what he has neglected to do, under his first head of Divinity. This branch occupies upwards of 120 pages: the first sub-division is Bibles, which occupy 36 pages. In the course of these, Polyglotts, Latin, German, Italian, Hebrew, Greek, French, and English Bibles are noticed; there are then three pages given to Greek Testaments. Nearly the whole of these 39 pages, as

being occupied with information only intelligible or interesting to those who are far gone in Bibliomania, ought to be expunged. There are then 6 pages on Prayer-books, which, both as bibliomaniacal and devoted to religious party, ought also to be expunged. The Fathers and Commentators occupy 2 pages. Hitherto, the work is *not* the Young Man's Guide and the Old Man's Comfort in the Choice of a Library.

The next four classes are Old English Divines, Late English Divines, Old Sermons, Modern Sermons. An arrangement which may give us an idea of the order which prevails in the author's pericranium. Jeremy Taylor, Barrow, and Tillotson are placed among the old English Divines, and not under the head of Sermons old or modern; and Clark and Doddridge are placed among late English Divines. Instances of such glorious confusion are numerous; but being a very inferior blemish in a work which possesses a full index, we shall not stop to particularize them. The Old Sermons, which occupy from page 66 to page 83, and comprehend those of Latimer, Fox, Drant, and Edgworth, however rare and curious, are out of place in a Library Companion. Next come the foreign divines. Who would expect to find Erasmus among them; and who would expect to find, in a long note relating to his works, that those chiefly recommended do not relate to Divinity. His works fill 10 volumes folio, and of those a very small proportion indeed are on religious topics. The French divines Bossuet, Massillon, Bourdaloue, and Saurin are noticed; though Mr. Dibdin here, as elsewhere, where he affects to play the critic, discloses a truth which we suspected, viz. that he is a man without a single idea.

Ecclesiastical History, French, Italian, and English, occupies from page 96 to 120. We would expunge, as either bibliomaniacal or objectionable for their unfitness, all except what relates to Fleury, Tillemont, Fuller, Burnet, Jortin, Strype, Mosheim, and Wordsworth; and even thus, we suspect, that we are too liberal and easy in what we retain. We may cite, by-the-by, Dodd's work, an Ecclesiastical history written by a Catholic, as a curious and strong proof of the interference of sectarian feeling in criticism. A writer in the Quarterly Review, having occasion to mention Neale's History of the Puritans, calls it the most dishonest work in the English language, not even excepting Dodd's History of the Church; whereas, Mr. C. Butler represents it as a most able and authentic history.* Manuals of Devotion bring up the rear of our author's Divinity,

* Reminiscences, 3rd edition, p. 339, &c.

and occupy nine pages, eight of which are taken up with Thomas a Kempis and Monument of Matrons, while the devotional works of Jeremy Taylor, Beveridge, Nelson, Henry, &c. are crowded into as many lines. Such is the proportion of notice, as, in many parts of this volume, measured out by the judicious hands of the Rev. Mr. Dibdin.

We will proceed to mention a few of the omissions which occur to us, and which he certainly ought not to have made. The reader will look in vain for bishop Butler's Analogy, or Sermons at the Rolls chapel—two of the most profound and original works in our language. For Ray's Wisdom of God in the Works of the Creation; Derham's Astro-Theology or Physico-Theology; Bonnet's Contemplations de la Nature, a work which has been characterized as adorned with all the charms of simple eloquence and enlightened piety, and which has been translated into all the languages of Europe: for Watson's Apology, and most of the other popular works on the evidences of Christianity. Paley's Natural Theology is not admitted into the text of Mr. Dibdin's work; but, together with his Moral Philosophy and his Horæ Paulinæ, thrust into the corner of a note. But we must confine ourselves to the mere titles, especially as we shall mention only those books, the reputation of which is well and generally established, and which all must admit ought to have been noticed in Mr. Dibdin's Library Companion. Under the heads of Religion and Morals, we do not find Hooker's Ecclesiastical Polity, Bunyan's Pilgrim's Progress, Sherlock's Sermons, Haller's Letters to his Daughter, Pascal's Thoughts, Leland or Lardner's Works, Mason on Self-Knowledge, Hannah More's Works, Bishop Newton on the Prophecies, any of Porteus's Works, &c. &c. On the kindred subjects of the Philosophy of the Human Mind, Education, and the Conduct of Life, Reid, Stewart, Brown, Hartley, Priestley, Price, Montaigne, Shaftsbury, Burgh, Hamilton, Tucker (Light of Nature Pursued), Chesterfield, Madame de Genlis, Wollstonecraft, Edgworth, Barbauld, Hume (as an essayist), are names that do not appear; neither do Hobbs, Soame Jenyns, Campbell (on Miracles); or Collins, Mandeville, Selden (Table Talk), Lord Kaimes, Bishop Berkely, nor Franklin, either on account of his most interesting and instructive Biography, or for any other of his works. In like manner, Adam Smith's name does not appear, as the author either of the Wealth of Nations, or the Theory of Moral Sentiments. We have already stated the omission of Bonnet's Contemplations and Pascal's Thoughts; of other French

writers, which ought to have found a place, the names of Fenelon, Flechier, and the Abbé Pluche do not appear. We did not expect to find the names of Helvetius or Condorcet, and many others we could mention; but those of La Bruyère and Rochefoucault ought to have appeared, as well as that of St. Pierre.

Works relating to the progress of knowledge, and of man in society, are in vain sought for; such as Enfield's History of Philosophy, Hallam's History of the Middle Ages, Professors Millar and Ferguson's works, Lord Kames's Sketches, Buhle, *Histoire de la Philosophie Moderne*, &c.

Such are some of the omissions in this division of Mr. Dibdin's work; entire branches overlooked, and many standard works in those branches which are noticed, not to be found; others barely noticed in a very cursory and unsatisfactory manner in a note or obscure sub-note; and with regard to others, not all the necessary particulars stated, though they might easily have been ascertained. As an instance of the last fault, we may refer to page 55, where he informs us, that we are indebted to the Rev. Mr. Pratt for a reprint of bishop Hall's works in 10 vols. 8vo., and that Dr. Glass published the Contemplations separately in 4 vols. 12mo. Is Mr. Dibdin ignorant that the Contemplations, as well as the Divine Right of Episcopacy, the Devotional pieces, and the Practical works, were all published separately by Mr. Pratt. To those who are admirers of bishop Hall's writings, but who, not being able to afford, or having no wish to purchase the whole of them, are desirous of making a selection, this information is of consequence, and ought to have been given in a Library Companion.* But we must hasten on to the second grand division—History.

* In the same part of his book, he specifies the entire theological works of Barrow, but neglects to add, that there is a selection of his Sermons; nor does he particularize those works of Chillingworth, Baxter, &c. which may be had separately—this he ought to have done in all cases; and he ought *not* to have put in such a sentence as this:—"Who would not give 14*l.* 14*s.* for the copy of old Baxter, mentioned in the note at page 50;" the recommendations of which are, that it is in 4 vols. folio—"a very fine copy, in original binding, sides gilt, very rare." Very many instances of recommendation to equal or similar extravagance, occur in every division of the Library Companion; and they are still more culpable when they relate to works of much less actual, and infinitely lower intrinsic worth than Baxter's writings. A selection of Sermons, printed uniformly with Knox's Elegant Extracts, and British Pulpit Eloquence, a selection of Sermons, in chronological order, from the works of the most eminent divines of Great Britain during the 17th and 18th centuries, neither of which are noticed by Mr. Dibdin, are much more suitable to a general library, than the immense

On this subject, generally, and on some particular branches of it especially, a Library Companion ought to be very full, and, at the same time, very select. The arrangement, too, of the various subdivisions of this branch of study is a matter of some importance; perhaps, on the whole, a Library Companion ought to point out the best works on the study and use of history. We shall afterwards find, that Mr. Dibdin speaks contemptuously regarding books of this description, in recommending which he says, "he shall not lose a minute or waste a line;" though, not very consistently with the declaration, he devotes a note of half a page to works on this very topic. He says, "we do not want such works as those of Du Fresnoy, Du Pin, or even of lord Bolingbroke, to tell us that Herodotus and Thucydides are the greatest luminaries among the Grecians; Sallust, Tacitus, Livy, among the Romans; and Rapin, Hume, Robertson, and Gibbon among the moderns. He adds, exactly in the style and spirit in which his whole work is written—"We have known this from the lips of our parents and instructors; and therefore it is, that we fasten with such avidity upon choice copies of the works of these great writers, or that we seek them in chaste morocco or full gilded calf; in their first and unsophisticated bindings—when ink was black and paper white!!"

Without spending a moment to wreak our contempt on the imbecility of the man who could write such a sentence as this, we may remark, that introductory treatises on the study and use of history are valuable, and ought to be noticed, even if they were confined to the development of the respective excellencies and defects of these historians; as, in this case, they might teach Mr. Dibdin himself the grounds of that high opinion which he had implicitly received from the lips of his parent or instructor. But introductory treatises of the nature alluded to are not confined to criticisms on historians; they embrace a wider, and aim at a higher object. Some of them may be feeble and injudicious, and others merely critical and particular; but there are treatises on the study and use of history in our language, which every man ought to have in his library; and which, therefore, Mr. Dibdin ought to have noticed, though, as we shall afterwards find, he has not. Those introductory treatises on the study and use of history, which enable us to select the most important events for ourselves, in reading the history of any

masses of divinity which he recommends; but under every division of his work he seems to forget it is only a division, and yet no one division contains nearly all the standard works relating to it.

particular country, or which point out the order in which history ought to be read—the best historians of each nation or æra, and the various works which illustrate history, though of an inferior class to those which aspire to the philosophy of history, are yet highly deserving of notice and recommendation in a Library Companion. It is very desirable, and perhaps indispensable, to have in a library one or two of the best Universal Histories. If it were possible to give such a combined and contemporaneous view of the events and state of the principal nations in different periods, as would enable us to compare them with ease, clearness, and accuracy, Universal Histories would be the most instructive and interesting works. But it seems not possible to secure this advantage, except at the expense of great bulk and frequent repetitions, and attended with an intermingling and entanglement of the histories of the various nations, which bewilders and perplexes the reader. There is more of the good, and less of the bad qualities of a Universal History, when it confines itself to a general and philosophical view of such events as have been most influential in the progress of nations; and as these are, of course, not voluminous, they ought to find a preference in a Library Companion. In selecting historical works on Greece and Rome, such of the original writers as are level to the knowledge of a common classical scholar ought to be admitted; but these only, as a Library Companion, ought not to be the guide of the professed classic. Editions with a correct text, and such notes as explain real difficulties, or illustrate passages actually needing illustration, should exclusively be pointed out and recommended. As, however, a Library Companion should contemplate the benefit of such as are not classical scholars, the best translations in English or in French ought to be particularized. Having thus pointed out to the student the means by which he may judge for himself respecting the original authorities for Ancient History, he should next be directed to the best writers on this subject in the English and French languages. All history requires illustration from an insight into the customs, habits, religion, &c. of the nation to which it relates: and the more remote the period or the place, the more requisite is this illustration. Hence the necessity of books on the antiquities of Greece, Rome, &c. Great care, judgment, and taste are requisite in selecting these: there are very few, indeed, which are not either so voluminous that none but the professed antiquary ought to possess them; or, which, even if in a moderate compass, do not weary and perplex, without satisfying the reader, by their minute attention to trifles, and the heavy and cumbersome style in which they are written.

We proceed to examine Mr. Dibdin's historical department. This department begins at page 129, and extends to page 364; if one fourth of this space had been filled as it ought to have been, and as a moderate share of information and research by a man not a bibliomaniac, and who knew what a Library Companion, the Young Man's Guide, and the Old Man's Comfort in the Choice of a Library, ought to be, would have filled it, no reader of Mr. Dibdin's book would have been at a loss with regard to the formation of an excellent historical library. But as the whole 230 pages are filled, though they notice and recommend many valuable histories, and such as ought to be admitted into every general library—yet as they, at the same time, notice and recommend many that either have no other recommendation than their scarcity, or that ought to be the exclusive study of the professed historian, the reader is bewildered and led astray: if he purchases all that Mr. Dibdin advises, he must waste much money, and if he moreover peruses all, he must waste much time: if he resolves to do, what Mr. Dibdin ought to have done for him, make a selection and proceed in his choice, on the assumption, that those histories which Mr. Dibdin praises in the highest terms, and at the greatest length, are the best—he may rest assured that his choice will, in nine cases out of ten, be a bad one.

We have already adverted to Mr. Dibdin's contempt for introductory Treatises on the study and use of History, while he enumerates several in a note. He has, however, omitted some of the most valuable, such as the two works of Logan—one published in his own name, and the other in the name of Dr. Rutherford, on the Philosophy of History: Dr. Priestley's Lectures on History: its use, sources, the proper preparatory studies: directions for facilitating the study of history, and the most important object of attention to a reader of History: Bossuet's celebrated work is, indeed, noticed, but in a note only, under the head of French Divinity; and the index gives only a general reference to the works of this eloquent, but bigotted and partial writer. Mr. Dibdin notices the Universal History, ancient and modern, and adds, that a copy of the folio edition "is, at this moment, lying at Mr. Triphook's just bound out of sheets, by C. Lewis, in white calf, with marble edges, and full chased gilt backs—for the not unconscionable sum of £52 10. To this work add Calmet's Histoire Universelle, 17 vols. 4to." We should have passed by these voluminous and expensive books, and advised the young man to purchase the last editions of Tytler's Elements of General History, ancient and modern, and of Russel's Ancient and Modern Europe, neither of which are

noticed by Mr. Dibdin. Russel's Modern Europe is distinguished for its lucid order, for its selection of the most influential events, its philosophical spirit, its attention to the progress of literature, arts, commerce, &c., and its compact, perspicuous, and neat style. The Ancient Europe is much inferior. Mr. Dibdin ought also to have noticed Mr. C. Butler's Historical Tracts, which are of much use to the student, either by fixing his attention on principal epochs, or by affording him subsidiary information. But we forget that our duty does not call upon us, neither will our limits permit us, to supply the deficiencies of Mr. Dibdin's book; and that our readers must be satisfied if we point out the most glaring and inexcusable.

We have little to say here of Mr. Dibdin's list of the classical and modern histories of Greece: his notice of the entire works of Xenophon seems, however, out of place here. The Athenian Letters ought to have been mentioned along with Anacharsis's Travels: these consist of the actual correspondence of several members of the University of Cambridge, and, besides other valuable illustrations of the History, Antiquities, Manners, &c. of Greece, contain the best commentary on Thucydides that ever was written. They were first printed in 1741, in four 8vo. volumes, but the impression was limited to about a dozen copies: they have since been re-printed and published in two volumes, 4to.* At the end of his notice of Histories of Greece, Mr. Dibdin, after recommending Potter's Antiquities, (why has he overlooked an excellent compendium on the institutions, &c. of Greece, by Dr. Hill, of St. Andrew's, in one volume, 12mo.?) presents a most appalling instance of his total want of consideration, in advising the young man to purchase Gronovius's Greek Antiquities, in 13 folio volumes, to enliven and improve, as he expresses it, the dull and dreary nights of winter. He, we are very certain, never spent any winter nights over them. But, as if these were not sufficient to drain the purse and overload the library of the young man, he advises him to add Grævius's Roman Antiquities, in 12 volumes, folio. In order to satisfy our readers at once, to what a most extravagant and absurd length Mr. Dibdin has carried his recommendations of voluminous works, we shall add to the instances just given, the following: five folio supplemental volumes to Grævius; the Byzantine Historians, 36 folio volumes; and Muratori's works

* The Travels of Theodore Ducas by Mr. C. Mills: and Voyages dans l'Ancienne France, sous Clovis et Charlemagne, par Ant. Mieville, Paris, 1810, 2 vols. 12mo., are evidently drawn up on the plan of Anacharsis; but they are inferior productions, though the first may be consulted for the literature and fine arts of Italy, and the latter for more general and extensive information, with advantage.

connected with the history and antiquities of Italy, in 40 folio volumes. Mr. Dibdin would be a dangerous guide in the formation of a library, did not the very extravagant nature of his advice render him harmless. If it were worth while, and we had time to throw away, we should like to calculate the size of the library, which could contain all the folios Mr. Dibdin advises the young man to purchase, and the sums which these folios would cost.

Before proceeding to the historians of Rome, Mr. Dibdin ought to have directed the young man to peruse the dissertations of Pouilly and De Salier, in the Memoirs of the Academy of Inscriptions, and the separate treatise of M. de Beaufort, in a small 12mo volume, on the credit due to the histories of the first five ages of Rome. The subject we believe has lately engrossed the recondite and unwearied labour of some of the German literati. Mr. Dibdin has noticed the translations of Herodotus, Thucydides, &c.—why has he omitted that of Polybius by Hampton, which is one of the best in our language. In speaking of those he does notice, he is likely enough to blunder. He observes, that the two best translations of Thucydides are those of Hobbes and Smith; we should be glad to know where he finds any other. This is no proof of his having read what he recommends; no proof however is wanting.

His account of the historians of Britain commences at p. 140 and extends to p. 288: of this space, at least three-fourths are devoted to long accounts of old chronicles, voluminous works on particular periods, acts of parliament, records and state papers, and other works, from their size and special objects certainly not such as ought to form part of a general library. And yet, after all, this portion of his work is not complete: he particularizes the smallest collection of our ancient historians, which was published at Copenhagen in 1757; but he neglects to notice the Islandic and Latin contributions to our very early history, published in the same city, by the Rev. Mr. Johnstone: and what is much more extraordinary and inexcusable, lord Lyttleton's History of Henry 2nd is not noticed. The remarks of Dr. Towers on Hume's History, and more especially the elaborate and convincing exposure of his mistakes, omissions, and misrepresentations by Mr. Brodie, ought to have been referred to by Mr. Dibdin, when he recommended Hume's History. In a note he expresses his astonishment that there are few, if any, Scotticisms in his style: it abounds, however, in French idioms—a fault which was pointed out by Dr. Priestley in his English Grammar, and which Hume acknowledged to a common friend, and promised to amend in future editions.

The histories of France, Spain, Portugal, Germany, and the Northern histories, fill up the space between p. 289 and p. 365. Few of the books here noticed and recommended, except those which relate to the history of France, are proper for a general library. On the subject of the historians of this country, and of Spain and Portugal, he is accurate and sufficiently minute: but he seems to know little of the modern historians of Germany, Denmark, and Sweden. There are some instructive instances of the want of proper digestion and arrangement in this part of the work. Townsend's travels in Spain finds a place under the head History of Spain; Eustace and Forsyth's travels, under the head History of Italy; sir G. Mackenzie's and Hooker's travels in Iceland (the latter chiefly botanical), under the head of Northern Histories; and Brooke, Von Buch, Bell and Dr. Clarke's travels, under the same head.* Mr. Dibdin did well to add an index to his book, otherwise some of the most valuable works which he notices, are either so far out of their place, or are so buried in his bibliomaniacal notes, that the reader would have searched for them in vain. That he often speaks in total ignorance of the book he is babbling about, when he is not on his favourite theme, is very evident: a striking instance occurs in a note, p. 343. Under the head of Northern Histories, the *Memoires sur la Langue Celte* of Bullet are peremptorily enjoined to be placed on the shelves of the old and the young reader—"as a master-piece of philosophical erudition, and as the basis of very much that is valuable and entertaining in northern literature." Now, in the first place, we would oppose the judgment and knowledge of Dr. Percy to this character of Bullet as a philologist: in p. 45 of the introduction to his translation of Mallet's Northern Antiquities (a work noticed and praised by Mr. Dibdin, but which from this, he does not seem to have read), he points out several very gross instances of Bullet's "imaginary Celtic Vocabulary," and at the close of them, exclaims "So much for Celtic Etymologies." And, in the second place, Mr. Dibdin might have learnt from the same work of Dr. Percy's, as well as from an infinity of other sources, not to confound the

* Coxe's Travels in Poland and Russia, are noticed under the same head: his Travels in Switzerland are entirely overlooked. In examining again the pages which Mr. Dibdin devotes to History, we find nothing relative to Switzerland, not even Planta's History of the Helvetic Confederacy, nor Simond's Compend, forming the 2nd volume of his Travels. And there is no head for the histories of any kingdom or state in any other quarter of the globe, except Europe; though Robertson's America, Smith's Virginia, and perhaps a few others, may be hunted out by means of the Index.

Goths and the Celts, and that a work on the Celtic language, as Bullet's is, cannot be the basis of very much that is valuable and entertaining in northern literature. We will add another instance; he says, in a note under the head of Voyages and Travels, "Mr. James Mill, without having visited India, is, *nevertheless*, the author of a most *spirited* and *popular* History of British India, in two 4to volumes." [p. 414.] Every man who has read this admirable work, will be amused at the luckless guess of the poor man. When he tortures his brain in future for epithets to characterize works he has never read, may he be more fortunate!

The portion of Mr. Dibdin's book which relates to Voyages and Travels comprises rather more than 100 pages: there is, therefore, no want of space, if it were well and properly filled. Injudiciously for himself, but we trust fortunately for his readers, he compares, in very bad taste, the bibliographical impulse by which he is propelled "into the mighty ocean which encircles the globe, and which sustained the vessels of Columbus, Vasco de Gama, Cook and Perouse," to the inactive submission of an Indian to his fate, when finding himself within the irresistible vortex of the Niagara falls, "he placed his paddle by the side of him, within his little bark, and lying on his back, was precipitated into eternity, down the central horse-shoe fall."

This is sad news for the purchaser and reader of Mr. Dibdin's book; for it prepares him for still more extended and minute bibliomaniacal trifling than he has hitherto been exposed to. If Mr. Dibdin found that he could not resist the bibliographical impulse, he ought not to have undertaken the Library Companion, or have professed, as he has done by its title, to guide the young man to the formation of a library. But is his bibliographical impulse so little under his command as not to yield to his sense of duty to those who purchase his book, and most especially to those who, trusting to his advice and judgment, may be persuaded to spend a great deal of money on works of little worth, and who may afterwards have the mortification to find that one half of the money thus thrown away at Mr. Dibdin's suggestion, would have procured them a most select and valuable library. Really, for a man, engaged in such a publication as this professes to be, to talk of being propelled by an irresistible bibliographical impulse, seems like mocking those whom he professes to instruct and guide. It may, however, have its use: if any have been so rash and inconsiderate as to purchase the books recommended by Mr. Dibdin in his preceding pages, this declaration will most probably make

them reflect, and ask themselves, whether a man who acknowledges that he is propelled, in the department relating to Voyages and Travels, by an irresistible bibliographical impulse, can possibly be a safe and proper guide in the selection of such works.

Mr. Dibdin gives his readers fair notice that his object "is FAR indeed from giving anything like a complete or analyzed catalogue of books of Travels," "on the contrary," he adds, "I shall only speak of collections of Voyages, and of the principal Voyages and Travels which relate to the three great quarters of the globe, Asia, Africa, America." So that Europe is utterly neglected; not a single page or even note devoted to travels in this quarter of the world. There are, indeed, the mere titles, with, in one or two instances, a word or two of remark, of a few European travellers, such as those of Coxe, Townsend &c. scattered up and down in the Historical department, and consequently out of their place. Why did Mr. Dibdin neglect Europe? Can he give any reply to this question which will not expose his unfitness for the task he has undertaken. If, however, travels in Europe, such as bibliomaniacs would prize, are either very numerous or very rare, we are thankful to Mr. Dibdin for this omission, since in either case, we should have had the bulk of his volume greatly increased, with but a very trifling enhancement of its real value and utility.

In a note, to page 369, he informs his readers that,

'The earliest performance connected with the travels of ALBERICUS or AMERICUS VESPUTIUS, appeared in a small 4to volume, published in the Latin language, without date (but somewhere about 1501), in a series of letters to Lorenzo de' Medici, the son of Pietro Francisco, "Quæ editio (says Meuselius, with a note of admiration) perrara," *Bibl. Hist.* vol. iii. p. 265. It is so indeed—and was speedily translated and published in the Italian language. This first Latin edition contains six leaves only, on signature *a*; having the device of Ichan Lambert (the word "Felix" between two monkies) in the frontispiece or title page. In the first page of the text, we find that "the voyage was prosperously commenced, on the 14th of May, 1501, along the Fortunate Islands, now called the Canaries; then they coasted along the African and Æthiopian shores as far as the promontory of Ptolemy, now called Cape Verd," &c. There was an early French version, of the date of 1516, 4to, called "*Le Nouveau Monde d'Americ de Vespuce:*" of which Mathurin du Redouet was the translator, and for a copy of which I find my friend Mr. Heber giving the unaccountable sum of 10*l.*, at the sale of the Merly Library. Both editions are in Mr. Grenville's Library; but the first Latin is so rare, that it may be doubted whether a second copy be in England. There is one in the Royal Library in France.'

This is a fair specimen of the kind of information which Mr. Dibdin's book contains in almost every page of it; of what use can it possibly be to the young man in the formation of his library? Whereas, if he had referred him to Canovai Elogio di Amerigo Vespucci, Florence 1798. Tiraboschi Storia dell' Litt. vol. 1.; the Letters of Amerigo in Ramusio, 1. 138; Bandini Vita del Amerigo; and the North American Review for 1822, he would have pointed out accessible information respecting this early voyager. Did Mr. Dibdin know of these articles which we have enumerated, or did he not? he may take his choice. We pass over the long notes respecting Mr. Grenville's copy of De Bry, the *basis* of which alone cost that gentleman 240*l.* and a copy of the same bought by the duke of Devonshire, at colonel Stanley's sale for 546*l.* with Mr. Dibdin's feeling exclamation, "ah! it makes one's heart rejoice to think of the "good old times" the GOLDEN days of the bibliomania, when colonel Stanley's copy was sold; days, I fear, which are gone, never to return: Ramusio, de Bry, Hakluyt, and Purchas, Caxton, De Worde, Pynson and William Faques, were THEN contemplated and caressed, as their beauties and merits entitled them to be!" After this explosion of bibliomaniaism, we shall not weary and sicken our readers with any future illustrations of the preposterous feelings and objects with which Mr. Dibdin must have engaged in the composition of a work which he professes to be the Library Companion, or the Young Man's Guide, and the Old Man's Comfort in the Choice of a Library. And we shall give only one more, but a most choice, specimen of the very bad taste, the puerile flippancy with which his pages abound. "The Lettres Edifiantes et Curieuses, ecrites des Missions Etrangères, Paris 1780. 12mo, 26 volumes, should find a place in the gilded upper shelves of a well-furnished library of any description. I knew an 'old' friend, who solaced himself during eight and twenty long wintery nights, by the perusal of these 'edifying and curious epistles.' If any keen book-angler chooses to bait his hook with a five pound note of the Bank of England, he may, at a public auction, catch the whole of this savoury fry of sparkling little fish. The gilt tooling of Padaloup or De Rome may represent the scales, like those of the carp 'bedropped with gold.'" [p. 389]. Can a man who writes in this style have devoted much of his time to the *perusal and study* of standard works, or be trusted as a safe guide in the selection of those which will improve the judgment and form the taste.

In a note to page 399, he acknowledges that he has omitted several circumnavigations, but contends that they are few and

unimportant, and refers his readers to Pinkerton's list. So that, in Mr. Dibdin's opinion, the voyages of Bougainville, and of Kotzebue are unimportant!

We cannot trust to the completeness of his notices even of old books. Thus, he omits "Ancient Accounts of India and China by two Mahomedan Travellers in the 9th century," translated from the Arabic by Renaudot, who has added valuable notes to the curious information contained in the text. He praises highly and justly Mr. Marsden's recent edition of Marco Polo; but though he refers to his Ædes Althorpianæ for an account of the first printed text of Polo's Travels in the German language for no other reason that we can perceive but this—that only two copies of it are known to be in existence—he does not notice a modern and accessible German translation, accompanied by a learned commentary by the editor, F. B. Peregrin. The following important travels in Hindostan are omitted. Stavorinus, Paolino, translated by Forster, Anquetil du Perron, Heyne's Tracts on India, Forbes's Oriental Memoirs, &c. Likewise Thunberg's Travels. He recommends the edition of Kæmpfer's Japan, published in 1728, as the best, whereas he ought to have known, even by consulting the Edinburgh Review, in their *first* notice of Pinkerton's Geography, that the edition of Kæmpfer published at Lemgo 1777-9, 2 vols. 4to, is the best, and contains several things not found in any previous edition. There were two works of Niebuhr on Arabia published at Copenhagen; both ought to have been specified, and likewise the two works of his fellow traveller Forskall; and Mr. Dibdin ought to have put his readers on their guard against the English translation of Niebuhr, which, besides omitting the most valuable and scientific parts, is, in other respects, totally unworthy of the original. For once we perfectly coincide with Mr. Dibdin in the praises he bestows on Fynes Morrison's Travels, and recommend them strongly to such of our readers as wish to possess a most lively and amusing picture of foreign parts, as well as of their own country at the beginning of the 17th century.

In his notices of Voyages and Travels in South America, he justly praises Antonio de Ulloa's work; but did he not know that it is accessible to the English reader in a translation published in 1758, in 2 vols. 8vo. He hurries over both North and South America, referring his readers to Kennet, Meuselius, and Boucher de la Richarderie for further information; this reference would have been excusable if it had been preceded by a notice of the most common, accessible, and useful Travels in this quarter of the globe; but it is not acting fairly by his

readers to pass over, in a Library Companion, such works as Koster, Luccock, Henderson, and Prince Maximilian, on Brazil, Molina on Chili, Depons on the Caraccas, &c., Clavigero on Mexico, Bertram on Carolina, Georgia, &c., Long's Voyages and Travels of an Indian Interpreter, Hearne and Mackenzie's Travels, Volney on the United States, Jefferson's Notes on Virginia, the recent Travels of Lewis, Clarke, James, Schoolcraft, Nuttal, &c., besides many others. These ought to have been noticed; especially as many of them have been published since the works to which he refers his readers for further information.

No works possess such general and winning attractions as those of Biography; nor are there any from which, if written with even a tolerable degree of talent, so much knowledge may be derived regarding the formation of the intellectual and moral powers of man, and the circumstances which most usually decide the direction and use of those powers. Works thus combining a high degree of interest and instruction find their way into every library; and, therefore, a Library Companion ought to be very full and minute in its notice of them. But, even in respect to them, a classification is advisable. Some readers prefer the lives and memoirs of statesmen, as often shedding light on history, or exhibiting in all the familiarity of their undress, and in their domestic circle, men who directed the mighty machinery of the whole civilized world. Other readers eagerly take up the lives of those, by whose science or genius they have been instructed, astonished, benefitted, or delighted; and love to trace them from the first dawn of their minds till they shone forth in all their splendor and power. Biographical works, therefore, ought to be classed according to the characters, condition, and pursuits of the men to whom they relate. Every person, in this case, would be able to select those which were best adapted to his taste. Let us now inquire in what manner Mr. Dibdin has executed this portion of his work.

He begins by justly remarking, that Biography is one of the most instructive and amusing branches of history; and asks, "what are the biographies of Ximenes, Sully, Washington, and Pitt, but the histories of the respective national transactions in which they figured?" After this illustration of the justice of his remark, we certainly were not prepared, notwithstanding our experience of Mr. Dibdin's inattention and carelessness, to find that neither Marshall's Life of Washington, nor any other life of that great man, nor Barrett's Life of Ximenes, nor even Tomline's Life of Pitt, are noticed in any part of his work. Not for want of room, for pages of text, notes, and sub-notes, are thrown away on articles and discussions which, to use the

softest, rather than the most appropriate, language, are utterly at variance with the title and professed object of his work. And yet he tells us that his "object is rather compression than dilation" [p. 489]. On this plea, how well founded our readers may judge from the account we have given of his work, he says he shall content himself with the mention only of Plutarch, Diogenes Laertius, Cornelius Nepos, and Suetonius. We have already stated it as our opinion, that translations of the classics ought to be noticed: those of Plutarch into English and French are noticed; but Thomson's translation of Suetonius is overlooked. As in the midst of so much censure as we are compelled to inflict, we are happy to discover any ground for praise, we shall bestow our most willing and hearty commendation on that portion of his Biography which particularizes lives and eulogies of illustrious characters, accompanied by engravings. Here Mr. Dibdin is in his element; and here, fortunately both for him and his readers, his duty to them and his own predilections coincide. He might, however, have stated for the information of those who do not chuse to lay out their money on engravings, that "Les Hommes Illustrés, of Perrault" may be had without them in 12mo, at a very low price.

We have already had occasion to reprehend the extreme carelessness with which this work is drawn up; there are two instances of most direct and glaring contradictions between the text and the notes, under the head of Biography. If the reader were to follow the advice given in the text, he would purchase Berkenhout's Biographia Literaria, for he is told, if, to Dr. Bliss's Edition of Anthony A Wood, he adds Tanner, Berkenhout, and Granger, he may thank his stars for a delightful stock of information, &c.; but if he follow the opinion of the notes, he will not purchase it, for there he is told, that "Berkenhout's book, after all, is little better than 'skimmed milk'" [p. 508-9]. Again, in page 534, we are told, great was the satisfaction felt by the appearance of two pieces of ecclesiastical Biography—the Life of Waynflecte, by Dr. Chandler, &c. Whereas, in the note, p. 535, Mr. Dibdin says, "this piece of Biography, however carefully composed, and however true to chronological authorities, is, in truth, but a heavy book. The notes do not betray curious research, and the absence of interesting facts is not compensated by vigour or fluency of style."

With regard to palpable omissions under this head, Mr. Dibdin has neglected to notice the Biographies of Cumberland, Curran, Bruce, Garrick, Franklin, Pennant, Watson, Priestley, Reid,

Smith, and Robertson by professor Stewart, Edgworth, lord Kaimes, Reynolds, Barry, Warton, Gilpin, Wickliffe, Latimer, and Cranmer by Gilpin; and many others of our own country; and Alfieri, Marmontel, Gellert, Gustavus Adolphus, Huet, Thuanus, Lope de Vega, Goldoni, Klopstock, Bossuet, and Fenelon by Bausset, Göthe, Necker, Turgot, &c. among foreigners.

After Biography, Mr. Dibdin proceeds to what he is pleased to denominate Philology and Belles Lettres; but those terms, as understood and employed by him, must be either extremely comprehensive or extremely vague and indefinite; for, would any one expect to find, under these denominations, what *he* calls the greatest philologists as well as the greatest grammarians in this country at the revival of literature, scarcely any one of whom, we are sure, our readers ever heard of, or would purchase or read, classed together with *Plato*, Aristotle, Athenæus, *Xenophon*, Plutarch, *Æsop*, Cicero, *Seneca*, Boethius, Aulus Gellius, *Apuleius*, the *younger Pliny*, *Petronius Arbiter*, and Quintilian. Next are arranged some more of Mr. Dibdin's great authors, such as *Robert Green*, *Thomas Nash*, *Thomas Dekker*, &c.; and the list of this most incongruous assemblage of philologists is closed with the names of sir W. Temple, Dryden, Addison, Swift, De Foe, Johnson, *Boyle*, *Locke*, and *sir Isaac Newton!!* Why not sir John Sinclair, and Stubbs the cattle doctor?

We shall not mispend a single moment of our own time, or that of our readers, on the more than usually overpowering fit of Bibliomania with which he is seized, in treating of the obscure and paltry writers who put forth what he calls "interminable slim quartos," at the revival of literature, except to state that one of these works consists of thirteen leaves, that others are those of Lilye, "the venerable father of *Propria quæ maribus*, and *As in presenti;* that a copy of another "measures ten inches five-eighths, by seven six-eighths;" that another "hath eight leaves only, worth peradventure 13*s*. a leaf;" that if "the ardent and heavy-pursed collector wishes for a copy of a work possessed by lord Spencer, he must be prepared with a cheque for 200 sovereigns;" and that a copy of the "Little Cato, a poetical, or rather rythmical production, consisting of only 26 leaves, cannot be procured under the sum of 150 guineas."

On the different editions of Æsop, "the very mention of whose name, we are informed, darts a species of electricity through the limbs of an ardent collector," who "toils from morning till night, and from year to year, in the pleasurable

and interminable pursuit of an ÆSOPIAN COLLECTION," he is very animated; but he would have much better fulfilled his duty as the young man's guide, if he had devoted half the space thus occupied, to the notice and recommendation of the exquisite fables of Babrius.*

Mr. Dibdin's omissions in the departments of Philology and Belles-Lettres are as numerous and gross as in any preceding part of his work. We shall specify a few of the most inexcusable. On the subject of Language, Wilkins, Horne Tooke, and the anonymous author of an ingenious little Tract, called "Hermes Unmasked," Drs. Jamieson, and Alex. Murray, Beattie, Kaimes, Dugald Stewart, Wakefield, Adam Smith, Beddoes, &c. and Condillac, Count de Gebelin, Adelung, Her-

* It is uncertain when Babrius lived: Bentley, in his Dissertation on the Fables of Æsop, calls him "one of the latest age of good writers;" but Berger, in his edition of his Fables, is anxious to place him, on insufficient grounds in our judgment, even so early as the age of Cicero. Suidas, Avianus, and Tzetzes are the only ancients who mention him. Suidas says there were 10 books of his Fables extant in his time, A.D. 975; and in Tzetzes's time, 200 years afterwards, they seem still to have been known. They were subsequently pillaged by inferior writers of Fables, who, to avoid detection, changed them from choliambics into iambics, or even into prose. Fragments of many, and a few whole Fables, existed in Suidas, Ignatius, Diaconus, Natalis Comitialis, &c. Bentley gives from this last author what he calls "a noble fragment of Babrius!" The Fables, however, were only to be found in a very imperfect and corrupt state, till about 50 years ago, when Mr. Tyrwhit, having discovered some in the Bodleian Library, published them, and a Dissertation on Babrius, along with his edition of Orpheus *de Lapidibus*. Much attention does not appear to have been drawn to them by this publication; though it might have been supposed the names of Tyrwhit and Bentley would have proved them to be classical and tasteful. They are, however, noticed and highly praised by Wakefield, in his correspondence with Fox. On the continent, Herder claimed for them the praise which they deserved; and in consequence of his opinion, Berger, one of the professors in the University of Dillingen, in Suabia, after great pains in collecting and uniting the fragments, and re-investing them with their proper measure, published them in 3 books, containing 93 fables, besides fragments 12mo, Monachii (Munich) 1816.

This little volume also contains the fables that are scattered in the Old Testament (Septuagint), Hesiod, Aristophanes, the Anthology, Gregory Nazianzen, Xenophon (the choice of Hercules), Aristides, the rhetorician, Plutarch, Lucian, and Dion Chrysostem; besides the Greek version of the fables of Pilpai, by Simeon Sethus, a physician of Constantinople, who lived about A.D. 1075. A metrical translation of Babrius into German is annexed. To this edition of Berger we refer our readers for further information respecting Babrius, and can assure to those who delight in the chaste simplicity of Phædrus, equal, if not higher, satisfaction from the perusal of these fables.

der, and Don Lorenzo Hervas, &c. among foreigners. In the Belles-Lettres he has omitted Blair, Kaimes, Beattie, Campbell, Gerard, Burke, Alison, Knight, Priestley (Lectures on Oratory and Criticism), Goldsmith, Hume, Knox, Gilpin, Price, &c. on the Picturesque, Webb on Poetry, Painting, and Music, Hurd, Professor Stewart, &c. among the English, and Rollin, Marmontel, Schiller, D'Alembert, &c. &c. among foreigners.

We have already adverted to Mr. Dibdin's strange classification of Bacon, Boyle, Locke, Milton, and Newton, under the department of Philology and Belles-Lettres. He makes, indeed, a kind of apology, which amounts to this, that he had forgotten them in their proper places, or rather had assigned no place for at least one of them—Newton; and therefore introduced them here, correctly or incorrectly, as he says, in order that "no lover of his country's literary worthies should turn over his pages without knowing *something* about the best editions of each of these authors." But it was Mr. Dibdin's province, in cases such as these, where the works of an author are so miscellaneous, to have pointed out, specifically, which of the pieces of each author had been published separately; for a young man, according to his taste, literary habits, and pursuits, would wish to purchase some without being at the expense of purchasing the whole. In every case, therefore, where an author's works are of a miscellaneous nature, and especially where they are also voluminous and expensive, such as Bacon's, Boyle's, and Locke's are, each of the separate works ought to have been specified. Three lines and a half of text, and eight lines of note, are all that Mr. Dibdin deems it necessary to bestow on Newton, in a work which professes to guide the young man to a knowledge of those authors who have most exalted, honoured, and benefited their country; and which dwells with rapture, and at tiresome and sickening length, on puny and paltry productions that would have disgraced the weakest scribbler in the lowest period of Grub-street literature. Even in the very limited space given to Newton, the young man will receive imperfect, and not very correct, information. Bishop Horsley's edition of Newton's works may be the best of all his works collected, but it sadly disappointed the expectations formed of it: in fact, neither Horsley's mathematical knowledge qualified him, nor did his theological pursuits afford him sufficient leisure, for such a great undertaking. The *Philosophiæ Naturalis Principia Mathematica* were first published by Newton himself; then with a preface by Cotes; and Dr. Pemberton's, which alone of the editions in England Mr. Dibdin mentions,

was the 3rd. In 1729, Motte published a translation of it. The Jesuits' edition, mentioned by Mr. Dibdin, was published abroad in 1740 and 1742, as well as in 1739; and has been so very recently published in this country, and is so often seen, even on book-stalls, that if any inattention regarding valuable works could surprise us in Mr. Dibdin, we should have been surprised at his ignorance respecting it. A Library Companion, if it noticed the works of Newton at all—which, it should not, as not adapted for a general library—should have classed them separately, according to their subjects, pointed out the best editions of each, with the commentaries upon them by other authors, and especially referred to those works, such as Maclaurin's Account of his Discoveries, and the Commercium Epistolicum of Collins, which explain or vindicate his right to the title of one of the greatest men that nature ever formed.*

Poetry and the English Drama occupy the last 200 pages of Mr. Dibdin's book, and he treats these with the largest portion of bibliomaniacal trifling, yielding himself up to all manner of extravagancies respecting vellum, large-paper, and uncut copies, and every scrap of what, by the courtesy of language, and in defiance of common sense and taste, is called Poetry, because it was published 200 years ago, and is at present not to be procured except at an enormous cost, and after much research and labour. He, indeed, affirms, though he seems almost afraid that some of his best friends (including several of the *blackest*-lettered members of the Roxburghe Club) will arise up in array against him, at the temerity of the assertion—"that there is a class of old English Poetry entirely worthless in itself and its results." After this acknowledgment, our readers will *not* be surprised that he devotes nearly four pages of notes to some of these worthless writers; it is part of Mr. Dibdin's creed, that mere scarcity and excessive price not only supply the place of merit, but are in themselves merit of the highest order,

That Mr. Dibdin is sincere in his belief, that he has given

* We have seen it somewhere suggested, we believe in Mr. C. Butler's works, that it would be proper to republish Collins's Commercium Epistolicum, which is become scarce; as, at this time, there is a disposition on the part of some of the French mathematicians to ascribe to Leibnitz a greater share of the merit of the invention of Fluxions, than this book shows him to have had. Voltaire's account of Newton's Philosophy, in many respects and many parts, makes up for the author's incompetence as a mathematician and natural philosopher, by the extreme quickness and acuteness of his penetration; and from its pleasant and popular mode of treating the subjects, may, notwithstanding its errors, be admitted into a general library.

to the world a publication such as the title indicates and promises, "The Library Companion, or the Young Man's Guide, and the Old Man's Comfort in the Choice of a Library," no one will be so cruel as to doubt, after the perusal of the concluding paragraphs of his book. It is with this precious passage that the book closes :—

'Let soft music be heard, while the curtain gently falls at the close of the several ACTS, or divisions, of this LIBRARY COMPANION :—not precisely of a dramatic cast of character, it must be confessed; but of a nature to bring before the reader many of the ILLUSTRIOUS DEAD, in those departments of literature, in which, while living, they *enacted their Parts* with so much credit and success. To the YOUNG . . . I make an appeal with that confidence, which the consciousness of having done all in my power for their amusement and instruction, must impart. They will find, in the preceding pages, a GUIDE to enable them to walk with comparative ease and pleasantness in those paths, which presented no trifling or discouraging obstacles to the pioneering exertions of the author. Meanwhile, a liberal spirit and an enlightened understanding will stimulate them to the collection of those works—"THE MEDICINE OF THE SOUL"—of which the reward of a conscientious perusal is not confined to this state of existence.

To the Old . . my address must be necessarily of a different nature. I must bow with deference and respect for many apparently abrupt and familiar passages; in which the experience of a counsellor may seem to have been exchanged for the enthusiasm of a Bibliomaniac. But from beginning to end I have not been unmindful of the professed view, or title, of this work. Unless I have greatly deceived myself, it will afford COMFORT to those, who, at the close of a long and actively spent life, will find a communion with their books one of the safest and surest methods of holding a communion with their GOD. The library of a good man is one of his most constant, cheerful, and instructive COMPANIONS; and as it has delighted him in Youth, so will it solace him in Old Age.'

Such is the Library Companion of the Rev. T. F. Dibdin, F. R. S. Let a purchaser of books implicitly follow its directions and he will ruin himself in encumbering his shelves with an immense, heterogeneous, and defective library. Let him follow these directions, and at the same time attend to the omissions we have pointed out, and avoid the books which his Guide recommends in his most insane moments, he will even then possess a library destitute of a single book in the grand departments of morals, politics, legislation, political economy, statistics, and science; in short, in all those departments which are most instrumental in securing the happiness of man, and without which literature is a bauble and a plaything, which may serve for the amusement of idle people, whether freemen or slaves; but which is entitled to a rank not very much higher than some of the

other ingenious inventions which have been discovered for killing time, and diverting ennui.

We must now dismiss both the author and his book. We have done that which we conceived might be useful to the public. We have had no hope of correcting Mr. Dibdin; neither any view of dealing out strict justice upon his work. Had such been our design, we should have exhibited the servility which marks every page of it in its true colours; and should have exposed the mean design of attempting to avert censure by a system of universal adulation. We should also have more seriously reprobated his idle gossip, and disgusting familiarity of style. We might have encumbered our Review with a list of his blunders and follies.

All this would have been unworthy of us, and useless to the world. We have said enough to enable the public to graduate him in the scale of merit; and must leave him with a parting admonition; to confine, in future, his advice and his consolation to those who may need it—his brethren of the Roxburghe; those sagacious individuals who, in order to create a little pursuit adapted to their slender capacities, have agreed among themselves to consider certain trash in their possession as highly valuable, and constantly assemble at their Mock-auctions to scramble for a parcel of it which is thrown among them by some man whom they station above them for the purpose. These gentlemen may require a worthy chronicler to record the rounds of their eventful contests. Mr. Dibdin is their historiographer, let him be properly rewarded and kept to his duty.

ART. VI. *A Selection of Irish Melodies, with characteristic Words.* By Thomas Moore, Esq. 9th Number. Power. Strand. pp. 58.

IF the anticipation of lasting celebrity be the chief pleasure for the attainment of which poets bestow their labour, we think no one can have enjoyed so much of it as Thomas Moore. It is evident that writers who fail to command immediate attention, and who look only to posterity for a just estimate of their merits, must feel more or less uncertainty as to the ultimate result, even though they should appreciate their own productions as highly as Milton his Paradise Lost; while they, who succeed in obtaining a large share of present applause, cannot but experience frequent misgivings as to its probable duration: prevailing tastes have so entirely changed, and works, the wonder and delight of one generation, have been so completely forgotten in the next, that extent of present reputation ought rather to alarm than to assure an author in respect of his future fame.

But Mr. Moore, independently of poetical powers of the highest order, independently of the post he at present maintains in public estimation, has secured to himself a strong hold of celebrity as durable as the English tongue.

Almost every European nation has, peculiar to itself, a kind of primitive music, consisting of short and simple tunes or melodies, which at the same time that they please cultivated and scientific ears, are the object of passionate and almost exclusive attachment with the great body of the people, constituting, in fact, pretty nearly the sum of their musical knowledge and enjoyment.

Being the first sounds with which the infant is soothed in the nursery, with which he is lulled to repose at night and excited to animation in the day, they make an impression on the imagination that can never afterwards be effaced, and are consequently handed down from parent to child, from generation to generation, with as much uniformity as the family features and disposition. It is evident, therefore, that he who first successfully invests them with language, becomes thereby himself a component part of these airy existences, and commits his bark to a favouring wind before which it shall pass on to the end of the stream of time.

Without such a connexion as this with the national music of Scotland, it seems to us—we are not Scotchmen—that Allan Ramsay's literary existence must have terminated its earthly career long since; but, in the divine melody of "*The Yellow-hair'd Laddie*," he has secured a passport to future ages, which mightier poets might envy, and which will be heard and acknowledged as long as the world has ears to hear.

And this is not a mere fancy of the uninitiated, or the barbarous exaggeration of a musical savage who has lost his senses at hearing Orpheus's hurdy-gurdy, because he never heard any thing better. One of the greatest composers that ever charmed the world—the immortal Haydn—on being requested to frame symphonies and accompaniments to the Scotch airs, was so convinced of their durability, that he replied—"Mi vanto di questo lavoro, e per ciò mi lusingo di vivere in Scozia molti anni doppo la mia morte."

It is not without reason, therefore, that Mr. Moore indulges in this agreeable kind of second sight, and exclaims (on hearing one of his own melodies re-echoed from a bugle in the mountains of Killarney),

> 'Oh forgive, if, while listening to music, whose breath
> Seemed to circle his name with a charm against death,
> He should feel a proud spirit within him proclaim,
> Even so shalt thou live in the echoes of fame;

'Even so, though thy memory should now die away,
'Twill be caught up again in some happier day,
And the hearts and the voices of Erin prolong,
Through the answering Future, thy name and thy song!'

Ir. Mel. No. IX. p. 4.

In truth the subtle essences of these tunes present no object upon which time or violence can act. Pyramids may moulder away and bronzes be decomposed; but the breeze of heaven which fanned them in their splendor shall sigh around them in decay, and by its mournful sound awaken all the recollections of their former glory. Thus, when generations shall have sunk into the grave, and printed volumes shall have been consigned to oblivion, traditionary strains shall prolong our poet's existence, and his future fame shall be not less certain than his present celebrity.

'Like the gale that sighs along
Beds of oriental flow'rs,
Is the grateful breath of song,
That once was heard in happier hours;
Filled with balm the gale sighs on,
Tho' the flow'rs have sunk in death;
So when the Bard of Love is gone,
His mem'ry lives in Music's breath.'

Almost every European nation, as we before observed, has its own peculiar set of popular melodies, differing as much from each other in character, as the nations themselves; but there are none more marked, or more extensively known than those of the Scotch and Irish. Some of these may be traced to a very remote æra; while, of others, the origin is scarcely known; and this is the case, especially, with the airs of Ireland. With the exception of those which were produced by Carolan, who died in 1738, there are few of which we can discover the dates or composers.

That many of these airs possess great beauty and pathos, no one can doubt who is acquainted with the selections that have been made by Mr. Moore; but as a genus or style, they also exhibit the most unequivocal proofs of a rude and barbarous origin, and there is scarcely a more striking instance of the proneness of mankind to exalt the supposed wisdom of their ancestors, and to lend a ready ear to the marvellous, than the exaggerated praise which the authors of this music have obtained.

It is natural to suppose that in music, as in all other arts, the progress of savage man was gradual: that there is no more reason for supposing he should have discovered at once the

seven notes of the scale, than that he should have been able at once to find appropriate language for all the nice distinctions of morals or metaphysics. We have, indeed, almost conclusive proof that the scale of the early Scotch and Irish was imperfect. The marked peculiarity of their ancient music is the rare use, if not the entire omission of the fourth and seventh notes of the scale, from which we may fairly infer that those intervals were for a long time unknown. Let any person compose an air, steadily avoiding the fourth and the seventh, and we will engage that he shall perplex the most learned musical antiquary. The experiment is easily made:—Pass your fingers over the black keys of a piano-forte, taking care not to touch any of the white ones—choose F sharp for the key-note—and you shall produce melodies, *ad libitum,* which a bagpiper would swear you had stolen from him or his brethren.

If it be a matter of such difficulty to attain the simple notes of the diatonic scale, how much greater must be the achievement to discover that regular system of modulation, without which it is impossible to dignify music with the rank of a science, or to produce any pleasing effect upon cultivated ears. Accordingly, in many of the earlier Scotch and Irish tunes, there is such an absence of regular modulation, as to defy all the ingenuity of modern counterpoint to apply basses or seconds, or even to render them palatable to any but Celtic ears. Airs of this kind, of course, are not often introduced into selections intended for general circulation, or if introduced, are considerably modified and softened down. However, we could point out an instance here and there, even in Mr. Moore's work:—Such as, the second strain of "Oh! think not my spirits are always as light." [*Ir. Mel. No. I. p.* 33.]—This is somewhat unmanageable, with a view to modulation and counterpoint; but the melody would defy the most skilful singer to produce from it any pleasing effect.

Again, even in the present advanced state of mechanical skill, it is far from being easy to produce wind instruments or harps with the scale perfectly in tune. To the present hour, the common fife and flageolet are generally constructed with the intervals out of tune, in relation to each other, and the bagpipe, the national instrument of Scotland, is, almost without exception, notoriously and painfully discordant. Considering the very low state of the mechanic arts from the tenth to the fifteenth or sixteenth centuries, in every other part of Europe, we may fairly presume, that the instruments of the Irish were not much better than those of their neighbours. Defects of structure would therefore frequently make the difference of a

semitone, to which the ears of the hearers becoming accustomed, the tune would be handed down with those accidental flats and sharps, and those irregular modulations arising out of them, which form one of the peculiarities of this species of music. It is obvious, too, that these defects would not offend the uncultivated ears of wild men, and that the rudest music would produce greater effect on a half savage people, than the most elaborate exertions of art on a polished audience.

And yet it has been the custom to extol the Irish music of the twelfth century as a sample of profound science, and the wandering harpers of that day as consummate theoretic musicians. The very defects which we have pointed out as indications of primæval rudeness, have been brought forward as proofs of a skill almost beyond the reach of modern art, and the following passage, or something tantamount, is to be found in most of the treatises on the subject: "The incomparable skill allowed to the Irish in music could never be predicated of unlearned extemporaneous bardic airs: it implies a *knowledge of the diagram*, and *an exact division of the harmonic intervals; a just expression of the tones*, and in the quickest movements a unity of melody. An early writer *(Giraldus Cambrensis)* accurately distinguishes the Irish and Welsh styles; the latter being of the diatonic genus, slow, and made of concords; the former, the *enharmonic genus*, full of minute divisions *with every diesis marked;* the succession of the melodies lively and rapid, its modulations full and sweet.*" Enharmonic music and diesis, indeed, in 1185! as well talk of the enharmonic of a ploughboy's fife, or diesis of a boatswain's whistle!

We are further assured on the same authority, that at the same period, Welsh musicians were familiar with all the mysteries of counterpoint, and are thence required to infer, that the Irish, their instructors, were equally learned. On a Welsh MS. however, supposed to be as old as the year 1100, and containing pieces for the harp in full harmony, Dr. Burney sagaciously observes, "Whether the tunes and their notation are coeval with the words, cannot easily be proved. The counterpoint, however artless it may seem, is too modern for such remote antiquity as is given to it. The false fifth from B. to F., in the first example, has not been long allowed in harmony; and the unprepared 7th from B. to A. in the second example, is a crudity that has been but very lately tolerated.

"That the ancient inhabitants of Wales were great encouragers

* See Rev. Edw. Ledwick's essay, Walker's Hist. Mem. Ir. Bards, Appendix, 20.

of poetry and music cannot be disputed, as many specimens of Cambro-British versification, of undoubted antiquity, still subsist; and that these poems, as well as those of ancient Greece and Rome, were originally *sung*, and accompanied with instruments, is very natural and reasonable to believe; but that a rude and uncivilized people, driven into a mountainous and barren country, without commerce or communication with the rest of Europe, should invent counterpoint, and cultivate harmony, at a period when it was unknown to the most polished and refined inhabitants of the earth, still remains a problem of difficult solution."

The truth is, that almost all narrators of the marvellous, with uniform and characteristic cunning, lay the scenes of their wonders in remote ages, and among rude people. Ages too remote for the living to attain any accurate knowledge of what passed; people too rude to form an accurate judgment even as to the objects presented to their own senses. Where there are newspapers, turnpike-roads, mail-coaches, and chemists' laboratories, we do not often hear of colloquial oxen, or flying witches: but two hundred years ago, the fasting woman of Tutbury would have been a saint, and Johanna Southcott (who retains not a few believers, even in the present day) a prophetess: we need scarcely say, what they would have been two thousand years ago. In such cases, for defect of satisfactory specific evidence, we can only rely on general reasoning. That mankind should lie, exaggerate, deceive, and be deceived, are phenomena common enough in all ages, and particularly in barbarous ages; that oxen should speak, witches ride in the air, or a savage harper understand counterpoint, are facts not quite so common, or so easy of proof; when, therefore, we are called on to elect which of two things we shall believe, viz. (1.) Whether the common process of exaggeration and deception has taken place, or (2.) whether events have gone on in a train contrary to our experience, there can scarcely be a doubt as to the choice which any reflecting person must make. At a time when men slept with logs under their heads instead of pillows, when their houses were destitute of chimnies, and some of the king's tenants held their lands, by the service of finding him clean straw for his bed-room; when all the arts and sciences were either unborn, or in the earliest stage of infancy; is it to be believed, that music either in Ireland, or elsewhere, had attained its highest state of perfection, and that it should have gone on declining as civilization advanced? Is it not, on the contrary, perfectly conformable to experience, that men in a rude state should have been affected by rude music more intensely than polished

nations by the most refined performances; that their vehement demonstrations of admiration should have given rise to exaggerated estimates of the merit of that which excited them; and that the source of so much astonishment in one century, should lose much of its reputation at a later period?

Dr. Burney observes, that "the first Greek musicians, were gods; the second, heroes; the third, bards; the fourth, beggars! During the early times of music in every country, the wonder and affections of the people have been gained by surprise; but when musicians became numerous, and the art was regarded of easier acquirement, they lost their favour, and from being seated at the tables of kings, and helped to the first cut, they were reduced to the most abject state, and ranked amongst rogues and vagabonds." That this was the course of the supposed retrogradation of the Irish music, we shall now proceed to show, by some curious extracts from contemporary writers.

The bards, the earliest professors of whom we have any account, having united to their capacity of musicians, the functions of priests, could not fail to obtain for themselves in an age of ignorance and credulity, all the influence and respect which that useful and deserving class of men have never failed to retain, even among nations who esteem themselves the most enlightened. But the remotest period in which their character of musician was disengaged from that of priest, is also the period assigned to the highest triumph of their secular musical skill and respectability. "It is certain" (says Mr. Bunting in his historical and critical dissertation on the harp), "that *the further we explore, while yet any light remains, the more highly is Irish bardic minstrelsy extolled.*"

"The *oldest* Irish tunes" (says the same writer) "are said to be the *most perfect,*" and history accords with this opinion, Vin. Galilei, Bacon, Stanishurst, Spenser, and Camden, in the sixteenth century, speak warmly of Irish music, but not so highly as Polydore Virgil, and Major, in the fifteenth, Clynn, in the middle of the fourteenth, or Fordun in the thirteenth. As we recede yet further, we find Giraldus Cambrensis, Brompton, and John of Salisbury, in the twelfth century, bestowing still more lofty encomiums; and these, again, falling short of the science among us in the eleventh and tenth centuries. In conformity with this, Fuller, in his account of the crusade, conducted by Godfrey, of Bologne, says, "Yea, we might well think that all the concert of christendom in this war would have made no music, if the Irish harp had been wanting."

In those early times the Irish bards were invested with wealth, honours, and influence. They wore a robe of the

same colour with that used by kings; were exempted from taxes and plunder, and were billeted on the country from All-hallow-tide to May, while every chief bard had thirty of inferior note under his orders, and every second rate bard, fifteen.

John of Salisbury, in the twelfth century, says, that the great aristocrats of his day imitated Nero in their outrageous love of fiddling; that "they prostituted their favour by bestowing it on minstrels and buffoons, and that, by a certain foolish and shameful munificence, they expended immense sums of money on their frivolous exhibitions." "The courts of princes," says another cotemporary writer, "are filled with crowds of minstrels, who extort from them gold, silver, horses, and vestments, by their flattering songs. I have known some princes who have bestowed on these minstrels of the devil, at the very first word, the most curious garments, beautifully embroidered with flowers and pictures, which had cost them twenty or thirty marks of silver, and which they had not worn above seven days!"

According to Stowe, the minstrel had still a ready admission into the presence of kings in the fourteenth century. Speaking of the celebration of the feast of Pentecost at Westminster, he says, "In the great hall, when sitting royally at the table, with his peers about him, there entered a woman adorned like a minstrel, sitting on a great horse, trapped as minstrels then used, who rode about the table showing pastime, and at length came up to the king's table, and laid before him a letter, and forthwith turning her horse, saluted every one and departed: when the letter was read, it was found to contain animadversions on the king. The door-keepers being threatened for admitting her, replied, that it was not the custom of the king's palace to deny admission to minstrels, especially on such high solemnities and feast days."

In Froissart, too, we may plainly see what necessary appendages to greatness the minstrels were esteemed, and upon what familiar terms they lived with their masters. When the four Irish kings, who had submitted themselves to Richard the 2nd, sat at table, "on the first dish being served, they made their minstrels and principal servants sit beside them, and eat from their plates, and drink from their cups." The knight appointed by Richard to attend them having objected to this custom, on another day "ordered the tables to be laid out and covered, so that the kings sat at an upper table, the minstrels at a middle one, and the servants lower still. The royal guests looked at each other, and refused to eat, saying, that he deprived them of their good old custom, in which they had been brought up."

However, as early as the reign of Edward 2nd, a public edict, issued in 1315, stated, "that many indolent persons, under the colour of minstrels, introduced themselves into the residences of the wealthy, where they had both meat and drink, but were not contented without the addition of large gifts from the household;" whereupon it was ordered, "that no person should resort to the house of prelates, earls, or barons, to eat or drink, who was not a professed minstrel, nor more than three or four minstrels of honour, at most, in one day, except they came by invitation from the lord of the house: That no professed minstrel should go to the house of any person below the dignity of a baron, unless he was invited by the master, and, in that case, should be contented with meat and drink, and such reward as the house-keeper willingly offered, without presuming to ask for anything."

It seems, too, that about this period, the minstrels had sunk into a kind of upper servants, or flatterers of the great. The nobility, as well as monarchs, retained bands of minstrels in their service; these resided in the families of their employers, attended them in their journies, and, besides receiving board, clothing, and wages, were permitted to perform in rich monasteries, and in the castles of other barons, from which they derived additional emolument. They wore their lord's livery, and sometimes shaved the crowns of their heads like monks.

When war and hunting formed almost the exclusive occupations of the great; when their surplus revenues could only be expended in supporting idle retainers, and no better means could be devised for passing the long winter evenings than drunkenness and gambling, it may readily be conceived how welcome these itinerant musicians must have been in baronial halls, and how it must have flattered the pride of our noble ancestors to listen to the eulogy of their own achievements, and the length of their own pedigrees.

Sir William Temple says, "the great men of the Irish septs, among the many officers of their family, which continued always in the same races, had not only a physician, a huntsman, a smith, and such like, but a poet and a tale-teller. The first recorded and sung the actions of their ancestors, and entertained the company at feasts; the latter amused them with tales when they were melancholy and could not sleep; and a very gallant gentleman of the north of Ireland has told me, of his own experience, that in his wolf-huntings there, when he used to be abroad in the mountains three or four days together, and lay very ill a-nights, so as he could not well sleep, they would bring him one of these tale-tellers, that when he lay down

would begin a story of a king, or a giant, a dwarf and a damsel, and such rambling stuff, and continue it all night long in such an even tone, that you heard it going on whenever you awaked; and he believed nothing any physicians give, could have so good and so innocent effect to make men sleep, in any pains or distempers of body or mind."

In the reign of queen Elizabeth, however, civilization had so far advanced, that the music which had led away the great lords of antiquity, no longer availed to delude the human understanding, or to prevent it from animadverting on the pernicious effects produced by those who cultivated the tuneful art: Spenser, in his view of the state of Ireland, says, "There is amongst the Irish, a certain kind of people called bardes, which are to them instead of poets, whose profession is, to set forth the praises or dispraises of men in their poems or rithmes; the which are had in so high regard and estimation amongst them, that none dare displease them, for fear to run into reproach through their offence, and to be made infamous in the mouths of all men. For their verses are taken up with a general applause, and usually sung at all feasts and meetings by certain other persons whose proper function that is, who also receive, for the same, great rewards and reputation amongst them. These Irish bardes are, for the most part, so far from instructing young men in moral discipline, that they themselves do more deserve to be sharply disciplined: for they seldom use to choose unto themselves the doings of good men for the arguments of their poems; but whomsoever they find to be most licentious of life, most bold and lawless in his doings, most dangerous and desperate in all parts of disobedience and rebellious disposition; him they set up and glorifie in their rithmes; him they praise to the people, and to young men make an example to follow." Thus, "evil things being decked and attired with the gay attire of goodly words, may easily deceive and carry away the affection of a young mind that is not well stayed, but desirous, by some bold adventure, to make proof of himself. For being (as they all be) brought up idely without awe of parents, without precepts of masters, and without fear of offence; not being directed, nor employed in any course of life which may carry them to virtue, they will easily be drawn to follow such as any shall set before them; for a young mind cannot rest; if he be not still busied in some goodness, he will find himself such business as shall soon busy all about him. In which, if he shall find any to praise him, and to give him encouragement, as those bardes do, *for little reward, or a share of a stolen cow*"—a butt of sack is the reward now-

a-days—" then waxeth he most insolent and half mad with the love of himself and his own lewd deeds. And as for words to set forth such lewdness, it is not hard for them to give a goodly and painted shew thereunto, borrowed even from the praises which are proper to virtue itself: as of a most notorious thief and wicked outlaw, which had lived all his lifetime of spoils and robberies, one of their bardes in his praise will say, that he was none of the idle milk-sops that was brought up by the fire-side; but that most of his days he spent in arms and valiant enterprises—that he did never eat his meat before he had wone it with his sword; that he lay not all night slugging in a cabin under his mantle, but used commonly to keep others waking to defend their lives; and did light his candle at the flames of their houses to lead him in the darkness; that the day was his night, and the night his day; that he loved not to be long wooing of wenches to yield to him, but where he came, he took by force the spoil of other men's love, and left but lamentation to their lovers; that his music was not the harp, nor the lays of love, but the cries of people, and the clashing of armour; and, finally, that he died, not bewailed of many, but made many wail when he died, that dearly bought his death."

It little occurred to Spenser, that in thus reprobating these poor bards, he was giving an admirable analysis of the machinery and effects of almost all that poets have ever done!

In 1563 we find the following severe enactments against these gentlemen. " *Item*, for as muche as no small enormyties doo growe within those shires" (*i. e.* the counties of Cork, Limerick, and Kerry) " by the continuall recourse of certen idle men of lewde demeanor called rymers, bardes, and dyce players, called carroghs, who undyr pretence of their travaill doo bring privy intellygence betwene the malefactors inhabitynge in these several shires, to the grete distruction of true subjects, that ordres be taken with the said lordes and gentlemen" (the followers of the earl of Desmond) " that none of those sects, nor outhere like evil persons be suffride to travaill within there rules, as the statuts of Irelande doo appoint, and that proclamation be made accordinglie, and that whosoever after the proclamation shall maynteine or suffre any suche idlemen wythin there several terrytories, that he or they shall paye suche fynes as to the discretion of the said commissioners or presidents (*i. e.* of Munster) for the time being, shall be thoughte good. *Item*, for that those *rymers* do by their ditties and rhymes, made to dyvers lordes and gentlemen in Irelande *in the commendacion and highe praise of extorsion, rebellion, rape, raven, and outhere injustice, encourage those lordes and gentlemen* rathere to follow those vices

then to leve them, *and for making of such rhymes, rewards are gyven by the said lordes and gentlemen;* that fore abolishinge of soo heynouse an abuse, ordres be taken with the saide earles, lordes, and gentlemen, that none of them from hencefourthe doo give any manner of rewarde for any such lewde rhymes, and he that shall offend the ordres, to pay for a fyne to the quene's majeste double the value of that he shall soo paye, and that the *rymer* that shall make any suche rhymes or ditties shall make fyne according to the discretiance of the said commissioners, and that proclamation be made accordinglie."

The feudal system which encouraged the poetical state of manners, and afforded the minstrels worthy subjects for their strains, received a severe blow from the policy pursued by Elizabeth. This was followed up by Cromwell and consummated by king William, of Orange memory; English customs were introduced, and the bards' occupation was gone; their property was dissipated, their influence forgotten; they wandered like other mendicants from village to village, and the very same strains which once enlivened the festivity of heroes, the very dirge which conveyed them to their last repose, were only heard at a country fair, or a rustic funeral.

More recently, a Scotch writer observes, "In Ireland, the harpers, the original composers, and the chief depositaries of that music, have, till lately, been uniformly cherished and supported by the nobility and gentry. They endeavoured to outdo one another in playing the airs that were most esteemed, with correctness, and with their proper expression. The taste for that style of performance seems now, however, to be declining. The native harpers are not much encouraged. A number of their airs have come into the hands of foreign musicians, who have attempted to fashion them according to the model of the modern music; and these sets are considered in the country as capital improvements."

And, in 1786, Walker, the historian and eulogist of Irish music, makes the following remarkable admission: "The English now pursued with ardour the cultivation of the fine arts; the Irish crept slowly after. Both vocal and instrumental musicians were brought, at an enormous expense, from Italy to London; and the Italian music began to reign with despotic sway in that great city. Its influence spread so wide, that it reached these shores. Our musical taste *became refined,* and our sweet melodies and native musicians *fell into disrepute:* 'Ainsi le goût,' says Marmontel, '*se rectifie à mésure que l'art l'éclaire,* en lui presentant d'âge en âge pour objets de comparaison, *des modèles plus accomplis.*'"

From all which we are driven to infer, not that the music and musicians, in question, are less excellent than in the olden time, but that the public are more fastidious; not that the minstrels of antiquity were prodigies of musical skill and science, but that their hearers were not altogether competent to judge of the extent of their attainments.

In what we have written, let us not be mistaken, nor called on by any well-meaning and patriotic Milesian to exchange cards, and spill red ink instead of black. Nothing can be further from our intention than to disparage the Irish music, or withhold one tittle of the praise to which it is fairly entitled; and our sentiments in this respect stand fully on record in the first number of our Journal. We are satisfied that, in divesting it of claims to which it is not entitled, we are doing it a service, by preventing disappointment, and enforcing all the merits which it really possesses.

If we do not coincide to the full extent, in Rousseau's opinion, that melody is the most important, if not the only important department of music, at least our dissent to that proposition is very limited. We fully appreciate the power of melody in producing the great musical effects, and we are not acquainted with any *class* of melodies, which, in originality, pathos, and sweetness, transcend the Irish. We admit that they had attained this character at a very early period. The air of "Coolin," which can be clearly traced to the time of Henry the 8th, and exhibits these qualities in the highest degree, has never been surpassed, as an air, in any age or nation, by any composer, however gifted. But melody, like poetry, is a production of unassisted genius, in nowise incompatible with a semi-barbarous state of society; counterpoint, accurate execution on accurate instruments, and a knowledge of the laws of harmony and modulation, imply a degree of labour and mental exertion absolutely inconsistent with the less advanced stages of human improvement. All that we struggle against, therefore, on the present occasion, is, the giving, in our critical capacity, assent or countenance to a belief in prodigies, so long as it is possible to explain them by the ordinary course of ordinary events.

In the beauty and the ancient existence of the most striking Irish *melodies*, we are firm believers, but we do not believe that the itinerant harpers of the twelfth century knew any thing about the diesis, and the enharmonic transition, or that they were quite so well versed in the abstruse laws of harmony as Handel and Haydn. We suspect that the greater number of them were even then, what they have so often been since, and

what *Carolan* the last, and not the least eminent of them, was,* blind sots, wandering from house to house in search of good entertainment; possessing no musical science whatever; but exhibiting, when well warmed with whiskey, sufficient animation and enthusiasm, to produce a considerable effect on an audience, prepared by the same stimulus.

It is now high time to return to the present number of Mr. Moore's performance. It contains twelve airs.—Some of them are equal in beauty to any that have preceded; but, as might reasonably be expected, there is considerable inequality in the merit and interest of the various songs; and it is not every one of them that could be sung with propriety by the general singer, or listened to with attention by a general audience. Two—"Fairest put on awhile," and, "As vanquish'd Erin"—are devoted expressly to Ireland and Irish affairs—a tax, which, considering that the work is peculiarly dedicated to the Irish people, we cannot reasonably object to pay. The two first in the book, from one of which we have made an extract, the poet has taken to himself [as in the 6th and 7th numbers, "Dear harp of my country," and "My gentle harp once more I waken"]—a tax which we pay with perfect cheerfulness. The rest are sufficiently general for general purposes. Of these, three are cheerful—"Quick, we have but a second;" "In yonder valley;" and "Sing—sing—music was given"—three are plaintive—"And doth not a meeting like this;" "I wish I *was*† by that dim lake;" and "She sung of love:"—and two—"By the Feal's wave," and "They know not my heart," provocative neither of mirth nor sorrow, but of that pleasing tranquillity which some esteem the summum bonum of existence.

Of these, "Sing—sing—music was given," and "Quick we have but a second;" whether for the words or the music will unquestionably be the most popular. The former we extract as a beautiful specimen of song poetry.

Sing—sing—music was given,
  To brighten the gay and kindle the loving;
Souls here, like planets in heaven,
  By harmony's laws alone are kept moving.
Beauty may boast of her eyes and her cheeks,
  But love from the lips his true archery wings;
And she who but feathers the dart when she speaks,
  At once sends it home to the heart when she sings.

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* See Walker's account of him. Append. to Histor. Mem. of Ir. Bards, 67.

† *Were*—we should say in *English*.

Then sing—sing—music was given,
To brighten the gay and kindle the loving;
Souls here, like planets in heaven,
By harmony's laws alone are kept moving.

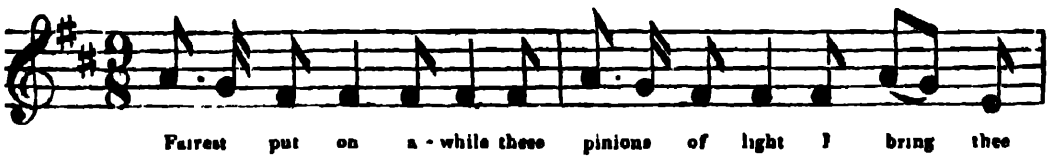
When Love, rock'd by his Mother,
Lay sleeping, as calm as slumber would make him,
"Hush—hush," said Venus, "no other
Sweet voice but his own is worthy to wake him."
Dreaming of music he slumber'd the while,
Till faint from his lip a soft melody broke,
And Venus, enchanted, look'd on with a smile,
While love to his own sweet singing awoke!
Then sing—sing—music was given,
To brighten the gay and kindle the loving;
Souls here, like planets in heaven,
By harmony's laws alone are kept moving.'

Here we must rest, though, if our limits permitted, we should certainly present to our readers the whole of, "Fairest put on awhile," and "And doth not a meeting like this make amends." The following stanza we cannot omit,

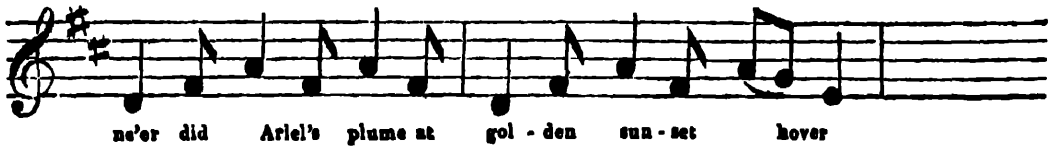
'What soften'd remembrances come o'er the heart,
In gazing on those we've been lost to so long!
The sorrows, the joys, of which once they were part,
Still round them, like visions of yesterday, throng.
As letters some hand hath invisibly trac'd,
When held to the flame will steal out on the sight,
So many a feeling, that long seem'd effac'd,
The warmth of a meeting like this brings to light.'

In a preceding number we made some observations on the singular faculty which Mr. Moore possesses, of seizing and expressing the prevailing association which a given air is calculated to raise up in the minds of the greater number of hearers, and on the felicity with which he makes this discovery, even through the envelopes of prejudice or vulgarity. The alchymy, by which he is thus accustomed to turn dross into pure gold, is really surprising. The air which now seems framed for the sole purpose of giving the highest effect to the refined and elegant ideas contained in the stanzas, "Sing—sing—music was given," has for years been known only as attached to the words, "Oh! whack! Judy O'Flanagan, Dearly she loved her Loony Mac Twolter," and the words usually delivered to the tune of *Cummilum,* have been of the same low and ludicrous description. With regard to *Cummilum,* however, the poet appears to us, for once, to have lost his way. The air is of a lively flowing cast, and, in our minds, raises up the image of a flight of birds passing, with rapid course, high over

an extensive tract of country; now flapping the wing to acquire fresh impetus; now cleaving the air in long undulation upon extended and balanced pennons:—The flap of the wing we have in the accented quaver at the beginning of each bar of the first strain;—



the long undulating progress, in the alternation of crotchet and quaver through the second strain;—



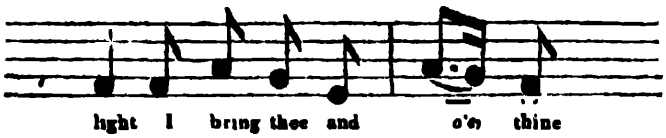
For this lively air we have a song, which, as its point and conclusion are of a mournful character, may be esteemed rather of the tragic cast. The poet so far falls into the vein of the music as to invite some spirit to put on her wings and fly with him over the greater part of Ireland; but having described in glowing strains the beautiful scenes that present themselves during the transit, he concludes,

'Then, if while scenes so grand,
So beautiful, shine before thee,
Pride, for thine own dear land,
Should haply be stealing o'er thee;
Oh! let grief come first,
O'er pride itself victorious,
To think how man hath curst,
What heaven hath made so glorious.'

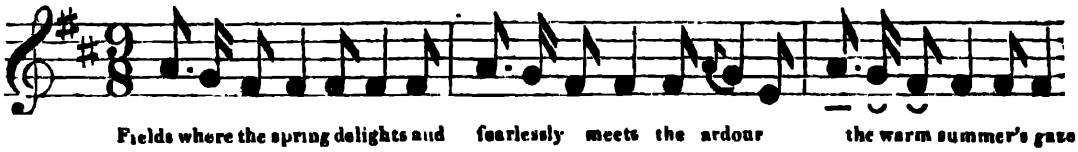
Now, to pronounce these verses with due effect in the light and airy melody to which the preceding stanzas have tripped over the tongue, is manifestly impossible; no change of time or tone can disguise the strange discrepancy between the words and music; and yet these verses contain the whole object and spirit of the song.

There are also in this air, two or three grievous applications of unemphatic words to accented notes of the musical measure; a defect the more to be regretted, as the measure being $\frac{9}{8}$ it is almost impossible for the singer to correct the fault by recourse to what the Italian masters call *tempo rubato*, or taking from the time of one note to give it to another.

May be altered to



But it is impossible to rectify the following misapplied emphasis :



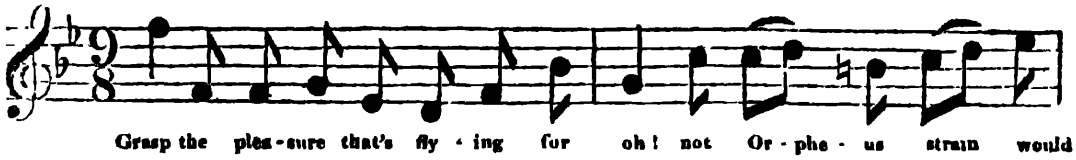
The lines at p. 20,

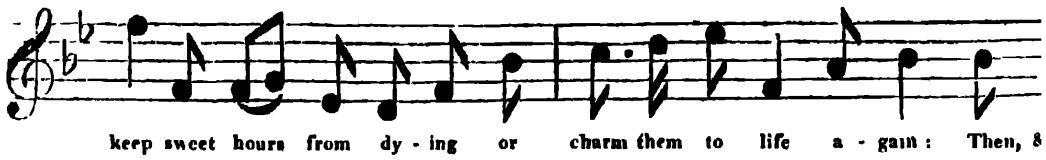
> 'Though haply o'er some of *your* brows, as o'er mine,
> The snow-fall of time may be stealing, &c.'

are absolutely without meaning, unless the emphasis be thrown on the word "*your;*" and yet Mr. Bishop has allowed it to fall on "*brows;*" though, by simply substituting F for C, he might have given a false accent to the unaccented note at the end of the first of the above two bars, and have enabled the singer to express the passage correctly.

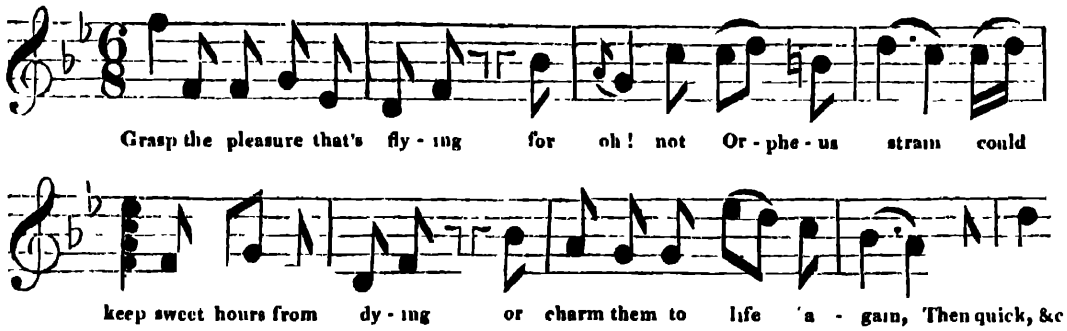
While upon this branch of our subject we would add, that the measure of $\frac{9}{8}$ is incompatible with the slight degree of pathos, with which it would be proper to execute the second strain of "Quick, we have but a second," although it be a mere drinking song; that the recurrence to the close on the key note, in the second as well as the first strain, gives the air a monotonous effect; that the high F to which the word *keep* is sung (the first and leading note of the second musical phrase or period of that strain), does not antagonize and contrast as it ought to do with the note to which *grasp* is sung (the first or leading note of the first phrase of that strain) : there is a want of variety and pathos in the employment of this second F, and E flat would express the sentiment better.

The strain stands thus :





However un-Irish the alteration may be, we would sing it a follows:



With another air, of a very melancholy description ("I wish I were on yonder hill") Mr. Moore has been pre-eminently successful. Words more expressive of the music, music more intensitive of the words, it is not possible to conceive. We speak here, of the adaptation of means to an end, without regard to the excellence or worthlessness of the end itself.

Of the nature and effects of melancholy poetry we have spoken in a former number; but, however we may deprecate the approved and sentimental practice of aggravating, prolonging, and renewing grief by recurrence to mournful images; however we may exhort the sufferer to relieve himself by shutting out the source of his pain, by flying to society, business, or some engrossing pursuit, we cannot conceal from ourselves the fact, that even in the present reasoning and calculating age there is a considerable class of readers, for whom poetry of a depressing cast has the highest charm. That there are also individuals, we trust they are few, but that there *are* individuals so sunk in misfortune, as to find a palliative in dwelling on images of sorrow, we can, also, easily conceive.

To such persons the following lines must be the perfection of poetry:

1.

'I wish I were* by that dim lake,
Where sinful souls their farewell take
Of this vain world, and half-way lie
In death's cold shadow, ere they die,

* In the original it stands "I wish I *was*;" but surely this must be a mis-print. Whatever may be the state of the dispute as to using an indi-

There, there, far from thee,
Deceitful world, my home should be—
Where, come what might of gloom and pain,
False hope should ne'er deceive again!

2.

'The lifeless sky, the mournful sound
Of unseen waters falling round—
The dry leaves, quiv'ring o'er my head,
Like man, unquiet ev'n when dead—
These—aye—these should wean
My soul from life's deluding scene,
And turn each thought each wish I have,
Like willows, downward tow'rds the grave.

3.

'As they, who to their couch at night
Would welcome sleep, first quench the light,
So must the hopes, that keep this breast
Awake, be quench'd, ere it can rest.
Cold, cold, my heart must grow,
Unchang'd by either joy or woe,
Like freezing founts, where all that's thrown
Within their current turns to stone.'

Irish Mel. No. IX. p. 40.

There is a stilling solemnity in the first four lines of the second stanza, that appears to us to surpass all other poetry of this kind. The idea of "man, unquiet e'en when dead," has in it, to us, something horribly sublime, conveying the kind of apprehension that may haunt a fevered intellect, and disappointed affections.

While on the subject of Mr. Moore's powers, we cannot avoid noticing the high degree in which he possesses that remarkable gift of a poetical imagination, which consists in elevating and dignifying the meanest subjects on which it chooses to expatiate. The ingenuity with which the simile (contained in the third stanza of the above song) is applied, is not more remarkable than the success with which the homely image of putting out the bed candle before we sleep, is divested of every particle of vulgarity.

In the same way, and with equal felicity, the sudden revival of forgotten feelings at meeting with friends from whom we have been long separated, is compared to the discovering, by the ap-

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cative or a potential mood after "*if*," there can be no difference of opinion as to the necessity of a potential after "*I wish*." Utinam essem or fuissem; but never eram or fui.

plication of heat, letters written invisibly with sympathetic ink. [See *ante* p. 129.]

In the quantity of serious matter to which our attention is necessarily devoted, we can spare no more time or space for these lighter topics. However, partisans as we are of oratorical, in preference to mechanical* singing, [see vol. 1. p. 122.] we cannot conclude without expressing our acknowledgments for the great additional store of pleasure which Mr. Moore has afforded, and we shall place in the happiest epoch of musical genius, the year which has produced the Ninth Number of the Irish Melodies.

ART. VII. 1. *Results of an Investigation respecting Epidemic and Pestilential Diseases, including Researches in the Levant concerning the Plague.* By Charles Maclean, M. D. 2nd Edition, 2 vols. 8vo.

2. *Report of a Select Committee of the House of Commons, appointed to inquire into the Validity of the Doctrine of Contagion in the Plague, in* 1819.

3. *A Treatise on the Plague, designed to prove it Contagious, &c.* By Sir A. B. Faulkner, M. D. 1 vol. 8vo.

4. *The History of the Plague, as it has lately appeared in the Islands of Malta, Gozo, Corfu, Cephalonia, &c.* By T. D. Tully, Esq. Surgeon to the Forces, and late Inspector of Quarantine, &c. in the Ionian Islands. 1 vol. 8vo.

5. *Evils of Quarantine Laws, and Non-existence of Pestilential Contagion, deduced from the Phenomena of the Plague of the Levant, the Yellow Fever of Spain, and the Cholera Morbus of Asia.* By Charles Maclean, M. D. 1 vol. 8vo. 2nd. Edition.

6. *Report on Quarantine of the Select Committee of the House of Commons on the Foreign Trade,* 1824.

A CONTAGIOUS disease, is a disease which is capable of being communicated from person to person. An Epidemic disease, is a disease which at certain periods prevails generally over the whole, or over a large portion of a community. A Sporadic disease, is a disease which arises either in a single instance only, or of which the cases at one time are few and scattered. The cause of a contagious disease is a specific ani-

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* Technical and intellectual, the two styles have been called by an able writer on the subject. See letter X "On the Elocution of Singing" in "Elements of Vocal Science," by R. M. Bacon, a work which we strongly recommend to the perusal of singers in general.

mal poison. The cause of an epidemic disease is, or rather is supposed to be, a certain condition of the air. A contagious disease prevails by the communication from person to person of that specific animal poison from which the malady derives its existence. An epidemic disease prevails through the influence of the atmosphere. The specific animal poison which gives origin to a contagious disease must have existed in some person, and have been communicated from that person to another, by actual contact, before such a disease can be propagated. The application by contact of its own specific virus is indispensable, as a first step, to the progress of a contagious disease: it is essential to every subsequent step. For the extension of an epidemic disease, on the contrary, it is only necessary that a person (provided he be predisposed to receive the malady) be surrounded by the noxious air from which the epidemic arises. A distinction has, indeed, been made between a contagious disease which is communicable by palpable matter, and one which is communicable by invisible effluvia: the distinction is truly unphilosophical. Whether the contagious matter be visible or not, it must still be matter: whether its application to any part of the body of the individual who receives it, can be distinctly traced or not, it must come in contact with some part of his body. The small-pox is communicable by the application to a healthy person of the matter contained in its pustules; it is also communicable by placing a healthy person within a certain distance of the diseased; in the former case, the application of the morbid matter is palpable; in the latter case, it is not palpable, it is too subtle to be appreciated by the senses, it is conveyed through the medium of the air; but its application is as real, and as really by contact, as when it is applied by the lancet of the inoculator.

In the whole range of politics, nay, even in that of theology itself, there is no subject on which such vague notions have prevailed; none respecting which men's minds have been so completely and so generally mystified, as that of contagion. The subject of contagion certainly opposes to its investigation no peculiar difficulties; but by the aid of one enormous assumption, and by neglecting to distinguish between one or two circumstances, which it is essential to discriminate, the extent to which both medical and unprofessional men, of the greatest intelligence, have allowed their understanding to be abused, is perfectly astonishing. For several centuries the subject of contagion has had the singular property of depriving the physician, the philosopher, and the statesman, of the power of applying to its investigation the commonest rules of reasoning;

and men have argued on this topic, apparently to their own satisfaction and to that of others, in a manner which would have covered them with shame, and overwhelmed them with contempt, had they so done with reference to any other subject of human inquiry. And yet it is a subject on which it is of great importance that the ideas should be clear and the judgment sound. It is intimately connected with the life or death of millions of the human race; it is interwoven with the commercial welfare of nations, and with the interests of this country in particular; and the whole system of quarantine laws is entirely dependent upon it. To this subject the anxious attention of the legislature has already been directed more than once. The Committee of the House of Commons, of 1824, have thus recorded their opinion on the matter:—"The influence which this law (that of quarantine) is supposed to have in the protection of public health; its bearing on some of our strongest prejudices; and its containing the various precautions which have been long deemed our safeguards against the introduction of contagious diseases, from whatever part of the world the danger may be apprehended, renders every recommendation that may affect it, a matter, at once, of general interest and peculiar delicacy. On the one hand, care is to be taken, that in the attempt to relieve commerce from burthens and inconveniences which press upon it, and to afford it the greatest freedom of which it is susceptible, we do not expose the country to the most formidable risk. On the other hand, that neither ancient prejudices, nor an excess of anxiety to avert possible danger, should induce the continuance of restrictions inessential to their object; and should thus deny to the trade any of those facilities, which, consistently with every prudential regard to considerations of protection and safety, it may be permitted to enjoy."* This subject is again to undergo the investigation of parliament early in the ensuing session. It is of the utmost importance, that those who are to engage in this inquiry should come to it with some real and correct information, and with unprejudiced minds. When the investigation was first instituted, ignorance was not blameable; prejudice was unavoidable; at present the case is different: there are facts which it is now criminal not to know; there are prejudices which it is disgraceful any longer to entertain. We own that we take a deep interest in the subject: we have devoted to it much time and labour; we have pursued the inquiry with all the calmness and caution which it

* Second Report of the Select Committee, &c. of 1824.

was in our power to exercise; we have succeeded, at least, to the satisfaction of our own minds, in clearing away the vagueness and mystery in which it once seemed to us to be involved; and we earnestly request the patient attention of the reader to the doctrine and the facts about to be adduced. We shall first state what appears to us to be the true doctrine of contagion; we shall next adduce the evidence on which that doctrine is founded; we shall then examine the arguments which have been urged in support of opposite opinions; and lastly, we shall enter into a full consideration of the sanitary code.

Before proceeding to investigate the subject of contagion, it may be proper to observe, that it is by no means exclusively a medical question; it is really a question of science, to be decided by facts which every one can understand; a question of testimony, to be determined by evidence which every one can appreciate. There are circumstances which render medical men peculiarly unfit to investigate the subject. Few members of a profession are capable of taking any thing but a professional view of any professional subject. In medicine, the authority of the master has, at least, as much influence over the mind of the student, as it has in any other science. On this subject, in particular, pupils, before they are capable of forming an opinion for themselves, are taught, in the schools, certain dogmas which are inculcated upon them with extraordinary earnestness; their minds are trained to take only one view of the subject, and to consider all doubt on the matter as leading to the most terrible consequences. It is therefore only now and then that a man arises, endowed with extraordinary power, or placed in circumstances peculiarly favourable to the discovery of the truth, who is found capable of making that mental effort, which it is necessary to exert, in order to unlearn; to disregard the undue authority of the master; to look into nature as an original and independent observer; to see what is passing around him with his own eyes, and to judge with his own understanding. Among the members of the Spanish Cortes, in October 1822, there were nine medical men. The subject of contagion was brought before the consideration of that body by Dr. Maclean. It was a subject in which the Spanish Cortes could not but feel a deep interest, in consequence of the fever which had so recently depopulated numerous cities of the Peninsula. So overwhelming did the evidence adduced by Dr. Maclean, to prove that neither the fever which had lately raged in Spain, nor any of those fevers which are the objects of sanitary laws, are contagious, appear to that assembly, that, in opposition to the unanimous opinion of the nine medical members of their own body, as well

as to that of an immense majority of all the physicians of Spain, they rejected altogether, after a solemn debate, and by a majority of sixty-five to forty-eight votes, the project of a code of sanitary laws which had been for years in careful preparation, successively, by a commission of the Government, and two Committees of Public Health of the Cortes. Here evidence in support of an undoubted truth, relating to a question which might have been deemed exclusively professional, sufficient to satisfy a majority of sixty-five to forty-eight unprofessional members, was not sufficient to satisfy a single individual out of nine professional men!

It has been stated that a contagious disease is a disease capable of being communicated from person to person. It is produced by an animal poison, and it has no other known cause. This animal poison is the product of a peculiar secretion of the animal economy. The character which is essential to it is, the power of producing when applied to a healthy person, a similar disease.

All the diseases to which the human body is subject, are divided into acute and chronic. Contagious diseases, in like manner, are either of an acute or chronic character. Examples of acute contagious diseases are, the small-pox and measles: of the chronic the venereal disease, the itch, the scaled head, the yaws, and a few others.

That species of contagion by which certain chronic diseases are propagated, is so obvious as to require no discussion. The morbid secretion upon which it depends is palpable; the application of it is direct; the effects are visible, and can be observed and marked through every stage, from their commencement to their termination. With the single exception already adverted to, the same is true of that species of contagion upon which acute diseases depend. The small-pox secretes a contagious matter which is contained in its pustules; the measles secretes a contagious matter which is contained in its vesicles. Apply a portion of the fluid contained in the pustules of the one, and the vesicles of the other, to a healthy person: it will excite in the latter the same train of symptoms as existed in the individual in whom the contagious matter was secreted. Moreover, persons who approach within a short distance of the affected, and who do not come into actual contact with them, are often attacked by these maladies; but this is never the case with chronic contagious diseases, in all of which, the contact must be direct. It has been already shown, however, that even in the former, the contact is no less real, though it is not visible, and that the contagious matter, in a form too subtle to be appreciated by the senses, is conveyed from one body to another.

The origin of contagious matter, like the origin of every natural production, is concealed from the scrutiny of man. We know nothing of it; but of the nature of the diseases it produces, thus much, at least, is certain, that they depend upon a peculiar animal poison, and that they are propagated by the communication of that poison from person to person.

It would have been reasonable to suppose *a priori* that diseases arising from causes thus specific, would observe peculiar laws: they are found to do so; and a knowledge of these laws is essential to the understanding of this subject.

1. Contagious diseases produce certain phenomena; that is, a combination of certain symptoms: these symptoms are determinate and uniform; they are always the same; they never vary except in degree. In every individual, under every variety of age, sex, constitution, and mode of living; in every country; in every season of the year, and in all possible states of the atmosphere, these symptoms are precisely the same. The operation of any one, or of any combination of these agents, so powerful in modifying disease in general, is only to render the symptoms of a contagious disease more or less mild or malignant. The symptoms themselves are uniformly the same: the small-pox is never without its pustules; the measles is never without its vesicles; the virus of the small-pox never produces the symptoms of measles; that of measles never produces the symptoms of small-pox. Each disease preserves, under every variety of circumstance, the same specific character.

2. The phenomena produced by contagious diseases are not only determinate in themselves, but they are uniform in their accession, in their progress, and in their termination. Beyond certain limits, which are narrow and fixed, they never vary in either of these respects. The small-pox produces its appropriate symptoms in a certain time after the contagious matter has been received: first, certain symptoms arise; these are succeeded by others; this succession takes place in a certain order; the symptoms come to their height in a certain period; they decline in a certain manner; they terminate in a certain time. The period also when the disease has run its course and ceases to be contagious, that is, ceases to exist, is determinate. All these things are regular as the course of the planets. In small-pox the law of the disease is, that no contagion takes place until the eruption appears; and that it remains as long as there is any scab on the skin. The period which elapses between the reception of the contagious matter and the first appearance of the disease in small-pox from inoculation is 8 or 9 days. Thus, of 810 inoculated cases, in 519 fever commenced before the

ninth, in 219 on the ninth day. The exceptions are extremely rare in which it either anticipates or exceeds this period. In the casual, or what is termed the natural small-pox, the latent period is somewhat longer than in the inoculated; but the utmost range is only from ten to sixteen days. The latent period of the contagion of measles is from ten to fourteen days. The other phenomena of these diseases succeed each other with a like regularity.

3. The morbid matter producing a contagious disease being once secreted, that disease can be propagated at any time and amongst any number of persons. So long as it retains its energy this specific virus never ceases to produce its specific effects; these effects can be produced by no other cause. From this law it follows, that no disease which is not contagious at its commencement can become contagious in its progress. The spontaneous generation of a contagious disease is as great an absurdity as the spontaneous generation of an animal. Nor, on the other hand, can a disease which is contagious in its commencement, cease to be contagious in its progress. The notion that a fever may arise from cold, from wet, from a peculiar constitution of the atmosphere, or from any of the common causes of fever, and become contagious in its progress, originated in an ignorance of the laws of the animal economy, and has been perpetuated in consequence of inattention to those laws. No man of sense can consider what a contagious disease really is, and what the ascertained laws of the animal economy are, without perceiving that this notion of the generation of a contagious disease must be false. To suppose, indeed, that a disease non-contagious in its commencement may become contagious in its progress, or the converse, is to imagine in the animal economy, precisely the same absurdity as it would be in the vegetable, were an acorn by a change of soil or climate to cease to produce an oak, and to generate a bramble.

4. Acute contagious diseases are capable of affecting the same person once only: chronic contagious diseases are capable of affecting the same person more than once. On what this peculiarity depends we do not know; it is an ultimate fact; but the fact itself is certain. If there be an ascertained fact in medicine, it is, that the small-pox and measles attack the same person once only. Cases, indeed, are on record, of the occurrence of these diseases more than once in the same individual: allowing the perfect accuracy of the observations on which these statements are made, it must still be conceded that it is an event so seldom witnessed, that it can be ranked only with the most singular of the exceptions which are known to exist to any general rule

5. Strictly connected with this law, and as a consequence of it, there follows one negative character of an acute contagious disease; namely, when it has once gone through its course there can be no relapse. It is impossible either in that weakened state of the body which immediately succeeds an acute disease, or in any other condition of the constitution, whether by exposure to the common causes of fever, or by an application of the specific virus in any degree of intensity, to re-excite the original train of symptoms.

It might reasonably have been thought impossible that diseases so precise, so uniform, so specific, could be confounded with any other maladies. Yet there is an important class of diseases with which they have been generally confounded, and with which they not only have nothing in common, but to which they afford a perfect contrast, namely, Epidemic diseases. Epidemic diseases are governed by laws as precise and uniform as contagious diseases; but, as has just been said, these laws are not only not the same, but the very opposite.

The term epidemic, considered etymologically, merely signifies *generally prevailing;* but, in medicine, it is universally appropriated to designate a certain class of fevers. These fevers are highly malignant; they occur frequently; they spread extensively; they prove more mortal than all other diseases together. Supposing mankind to consist of one thousand millions; it is computed that thirty millions die annually from all diseases, and that of this number fifteen millions, that is one half, die of epidemic maladies. These diseases, therefore, possess an extraordinary interest and importance.

It has been stated that epidemic diseases are fevers. These fevers appear to derive their origin from one cause, namely, the state of the air; a certain condition of the air is supposed to produce epidemic diseases, because this hypothesis affords the best solution of all the phenomena which they exhibit. What that constitution of the atmosphere is which gives rise, in any case, to an epidemic disease, we do not know; therefore we cannot know what the peculiar constitution of the atmosphere is, which gives rise to peculiar epidemics. Of both these points we are in total ignorance. It is reasonable to believe that there are certain qualities of the atmosphere which have a considerable influence in the generation of these diseases; namely, its heat, cold, moisture, dryness, and electrical state; but what degrees and combinations of these qualities are connected with the production of epidemic diseases, we do not know. We have derived, from experience, the certain knowledge of one fact only; namely, that these maladies are generated most

frequently, and in the most malignant form, by a moist and warm atmosphere. It has, moreover, been supposed, that certain changes may take place in the constitution of the air which are not perceptible by our senses, and that these changes may have the most important influence on human health and life. Of this conjecture it is impossible to affirm or deny any thing: the changes it supposes, even if they really take place, must for ever remain unknown to us. Yet the supposed properties of the atmosphere, which result from these supposed changes, have received a distinct appellation, and have been called its occult properties. To give a non-entity a name, is at once to convert it, in most men's imagination, into a substance. Accordingly, these occult properties have been assigned and reasoned upon, as the causes of epidemic diseases, by some of the most distinguished physicians, with no more hesitation or scruple than they would speak of oxygen and nitrogen as component principles of the atmosphere.

In assigning certain conditions of the air as the cause of epidemic diseases, we are able to advance one step. The air, it is certain, is often charged with noxious exhalations arising from the putrefaction of animal and vegetable matter. These exhalations are generated in marshy situations, or where stagnant water contains dead vegetable matter; and their production is greatly promoted by heat. Their precise nature is not known, for they have never been obtained in a separate state; but it is ascertained that they are suspended in the air; that, naturally, they do not extend far beyond the place where they are generated; that, by currents of wind, they are capable of being conveyed to a great distance; that they exert a powerful agency in producing some of the most malignant fevers; and that a long-continued exposure to them, wonderfully shortens the duration of human life. Thus there is said to be a place in America where, from this cause, the inhabitants do not attain more than twenty years of age. It is certain that these exhalations exert a most important agency in the production of epidemic diseases; it is equally true, that often-times their influence cannot be traced, and that in the most terrible pestilences which, there is reason to believe, depend entirely on the condition of the air, it is impossible to attribute to such exhalations any share in producing its morbid state.

Epidemic diseases observe certain laws: these laws, it will be seen, are the complete contrast of those which regulate contagious diseases.

1. The phenomena of epidemic diseases are not determinate and uniform; they are diversified in the highest degree; not

only in different countries and different seasons, but in the same country and the same season. These symptoms observe no regular concourse; they do not succeed each other in any determinate order; there is no discernible connexion between the application of their cause and the appearance of its effects; their duration is variable. The phenomena of contagious diseases, on the contrary, as has been shown, is determinate; the order of their succession is regular; the period which elapses between the application of their cause and the appearance of its effects is fixed; their duration is uniform.

2. Though there is the greatest possible diversity in the phenomena of epidemic diseases, yet in all countries, the periods at which they commence, decline, and cease, are determinate and exact. These periods correspond with certain states of the seasons. They differ in different countries according to their geographical position, and they may be anticipated or postponed by circumstances, but in general they are remarkably uniform. In Asia Minor, Egypt, and Syria they commence in March or April, and cease in June or July: in most parts of Europe, and in North America, they begin in July or August, and end in November or December. The epidemics which prevailed at Gibraltar and in Spain in 1800, 1804, 1810, and 1814 prevailed in these autumnal months. Not only in Gibraltar and Spain, but in Italy also, and in all the places which they attacked, they uniformly commenced at one period; they terminated at one period. The yellow fever is stated, by Dr. Rush, to have appeared in America six times successively: it always commenced from the first to the middle of August; it always terminated about the middle of October. It is remarkable, that all the epidemics in Great Britain, of which we have any certain record, prevailed in Autumn, and committed the greatest ravages in August, September, and October. The history of epidemics in every part of the world confirms these observations. Now, that diseases which depend upon the state of the air should be thus influenced by season, should commence, come to their height, and cease, at determinate periods of the year is what might be expected; contagious diseases, on the contrary, from the very nature of contagion, could not possibly be subject to such a law. Diversity in the phenomena which they exhibit; uniformity in the periods they observe, might be expected to characterize epidemic diseases, from the nature of their cause: uniformity in their phenomena, diversity in their periods, might be expected to characterize contagious diseases, from the nature of their cause; accordingly, these circumstances are actually found alike to characterize and to contrast both.

3. Epidemic diseases prevail most in certain countries, in certain districts, in certain towns, and in certain parts of the same town. The reason can often be distinctly ascertained. They prevail most in those countries which are the least cultivated; in those districts which are the most woody, the most exposed to particular winds, and to inundation; in those towns which are placed in a low and damp situation, and which are unprotected from certain winds; in those streets and houses, and even in those apartments of the same house, which are the most low and damp, the worst built and the least sheltered.

Winds, whether assuming the form of gales, hurricanes, tornadoes, or tempests, often produce the most important effects in the most opposite direction. "Let us suppose," says Dr. Maclean, "two local currents of wind to meet in the neighbourhood of a long morass, dividing it into two equal parts; the persons to leeward, that is, on the opposite sides of the opposite ends would be affected with disease, whilst those to windward, that is at the reverse opposite sides of the opposite ends, would remain exempt. The effects of an interchange of visits, would in such case, be very different. The sick to leeward, by visiting their friends to windward, or laterally, would recover, and none of the persons to windward would be affected by the presence or contact of their sick neighbours. But if the windward or lateral inhabitants were to visit their friends to leeward, they would become affected with disease, through the means of the air, whilst it would be supposed under the existing belief (of contagion) to be communicated to them by contact with the persons of their sick neighbours."

In all towns there are some places more insalubrious than others: of course these are inhabited by persons who can least afford to pay for situation; that is, by the poor. The habitations of the poor are likewise generally crowded, and always ill ventilated and dirty. Accordingly, it is in these situations that epidemic diseases most frequently arise, and prove most mortal. The most certain and the first victims of epidemic diseases are those who, from their poverty or their occupations, are most exposed to the air; and those who being strangers to the climate are least accustomed to it. The liability of persons to the epidemic of the East and West Indies, on their first arrival in those countries, is proverbial. "The yellow fever," says Dr. Mac Arthur, "is almost universally confined to men recently arrived in the country." During the plague of London in 1665, of 3,000 that fell sick in the first week, the greatest number were new comers. These facts clearly point to the influence of the atmosphere: they are incompatible with the

nature of contagion, and they discriminate the diseases which arise from these different causes. Contagious matter being applied to the unaffected, the disease it produces would as readily arise in the rich as in the poor; in the well-fed as in the ill-fed; in the well-clothed as in the ill-clothed; in the well-lodged as in the ill-lodged; in the idle as in the laborious; in those who dwell in a pure, as in those who dwell in an impure atmosphere, and in the natives of a country, as in strangers.

4. Epidemic diseases commence, spread, and cease, in a manner perfectly peculiar. They arise, for example, in some particular quarter of a town, or in some district. They do not proceed to attack other places in regular succession, according to their proximity to the quarter first affected; but they break out, at once, in the most distant, and the most opposite directions. They prevail, suppose in a certain district, suddenly they diminish or cease there, and appear in another quarter, it may be, the most remote from the first; then they may again return to the place first attacked, or they may suddenly appear in a spot near to it, or in one in an opposite direction. People are attacked, not in proportion as the inhabitants of the affected mix with those of the unaffected places; but in proportion as the inhabitants of unaffected, expose themselves to the *air* of affected places. The visits of the sick to unaffected places is followed by no increase of disease; the visits of the inhabitants of an unaffected, to an affected place, is attended with a certain increase of sickness. On their removal from a noxious to a pure air, the sick often rapidly recover; but they do not communicate the disease to the inhabitants of a pure atmosphere; in the history of all the epidemics which have ever prevailed, in all parts of the earth, there is not on record a single example of the communication of the disease from the sick to the healthy in a pure atmosphere. Again, the manner in which epidemic diseases terminate is most peculiar and characteristic. It is precisely at the period when the greatest number of persons are affected, and when the greatest mortality prevails, that these maladies rapidly decline and suddenly cease. There is scarcely an exception to this law in the history of epidemic diseases. It perfectly accords with the nature of the cause upon which epidemics are here supposed to depend; it is totally inexplicable upon the hypothesis that they are produced by contagion. To suppose that a disease which is propagated by contagion, can rapidly decline and even suddenly cease, at the very period when the greatest number of persons are affected, and when the greatest mortality prevails, that is, when the contagious matter is proved to be in

its most active and malignant state, is utterly absurd. So true is this, that the most intelligent and candid contagionists acknowledge, in so many terms, that this important fact is perfectly inexplicable upon their system. "It is a very curious fact," says one of the most distinguished and able advocates of the common doctrine of contagion, "*and perhaps wholly unaccountable upon any theory of the propagation of contagion,* that pestilential diseases, after running an indefinite course, notwithstanding all the measures adopted to restrain their progress, frequently cease spontaneously, at a time when the walls of the houses, furniture, &c. must still be supposed to be highly impregnated with the contagion. The fact is authenticated by Dr. Russell, Dr. Lind, and several other physicians of equal respectability." The fact is indeed certain; it is most distinctive of these two classes of diseases; it is alone sufficient to prove that they are essentially different.

5. Epidemic diseases are capable of affecting the same person repeatedly; in every epidemic some cases occur of successive attacks in the same individual; in general, relapses are so frequent and so fatal, that they may be ranked among the chief causes of the excessive mortality of these diseases.

Such, then, are the laws which characterize and discriminate contagious and epidemic diseases. That these maladies are not only distinct from, but incompatible with each other, no one who considers what has been stated can doubt; but they have been so completely confounded, not only by unprofessional observers, but also by great authorities in physic, that it may be proper to establish their incompatibility by some separate proofs.

Were the common use of the term epidemic confined to its strict etymological signification *(generally prevailing)* it would be correct to say of the small-pox, for example, when generally prevailing, that it was epidemic. But this term has been appropriated to the designation of a class of diseases observant of the laws which have been stated. To call any disease epidemic, therefore, merely because it is generally prevailing, unless it be also obedient to all the other laws which characterize epidemic diseases, must lead (and the history of this subject affords abundant proof that it has led) to the most pernicious confusion of ideas.

1. It is certain that epidemic diseases are not contagious, because there is no proof that they are. The absence of evidence completely irresistible, on this subject, is itself sufficient proof that there is no evidence whatever. For, were epidemic diseases really propagated by contagion, it could not possibly

be a matter of controversy: the facts establishing the truth would be so clear, so numerous, so overwhelming, as to place it beyond all question. No one can doubt, no one ever did doubt, that the small-pox is contagious; the proof of it is simple, precise, complete; it must necessarily be so with every disease which depends upon a specific cause, and which produces specific effects; it is not so with a single epidemic; this alone must be sufficient to decide the matter in the judgment of every philosophical mind.

2. Epidemic diseases are not contagious, not only because there is no evidence that they are, but because the evidence that they are not, is as complete as the proof of a negative can be. It has been shewn that the causes, the phenomena, and the laws of epidemic, are dissimilar and opposite to those of contagious diseases. But diseases which are dissimilar and opposite in their causes, in their phenomena and in their laws, must necessarily be inconvertible and incompatible.

3. Epidemic diseases are not contagious, because if they were so there must be a spontaneous generation of a specific animal poison in the progress of every epidemic. This, it has been shown, is contrary to the ascertained laws of the animal economy. We repeat, that no man of sound understanding can consider what a contagious disease really is, and what the ascertained laws of the animal economy are, and believe, for one moment, that a disease non-contagious in its commencement, can become contagious in its progress; or that a disease contagious in its origin, can cease to be so in its course; we repeat, that such an event in the animal economy would be as contrary to the laws of nature, as it would be in the vegetable, were an acorn, by a change of soil, or of climate, to cease to produce an oak and to generate a bramble.

4. Epidemic diseases are not contagious because the human race continues to exist. Were these maladies really capable of spreading by contagion, mankind must long since have been exterminated. To the devastation of acute contagious diseases, nature has set limits by rendering them capable of affecting the same person once only; but epidemic diseases are capable of affecting the same person repeatedly; and, in point of fact, the same person is often attacked, several times successively, by the same disease during the prevalence of the same epidemic. Were such a disease capable of propagation by contagion, it is obvious that it would be impossible to set any bounds to its ravages. Every person in health who came within a certain distance of the diseased would become affected; these would communicate it to others; as the disease spread, no person in

society could long continue beyond the sphere of its influence; the separation of the healthy from the sick would be impossible; no one could remain healthy, because even those who had had the disease would be again and again seized by it. Whilst a single individual of the community remained alive, it could never cease. Had the contagion of the small-pox been capable of affecting the same person repeatedly, no precautions could possibly have prevented it from being in a state of constant circulation; wherever it once broke out it would never disappear so long as there was a healthy person to be seized. Fortunately for the human race epidemic diseases do not thus spread; do not thus perpetuate their devastation. Even in the places and the seasons in which they exert their most powerful and malignant influence, the number of individuals is always small compared with the bulk of the community which remains unaffected; and, as has been already stated, it is precisely at the period when the greatest number are attacked, and when the greatest number perish, that is, when the contagious influence, if it really existed, must be most extensive and most active, that these maladies rapidly decline and suddenly cease. This fact, as has been already shown, is utterly incompatible, and is acknowledged to be so, with the property of contagion: it is alone decisive of the question.

But it will be asked, how could diseases so dissimilar and so opposite, have been confounded? How can medical men in particular have fallen into the delusion, and why do they continue to be misled by it? It is not difficult to assign the true cause; we particularly request the attention of the reader to this point, because if he will take the trouble to understand it, we are satisfied that the whole of this subject, so obscure and so mystified, will at once appear intelligible.

It has been shown that fever is capable of being produced by two causes; by a specific contagion, and by a peculiar constitution of the air, which, for the sake of distinguishing it from its other states, and of expressing the fact that it is the cause of epidemic diseases, may be termed its epidemic constitution; it is commonly called a pestilential constitution; but fever is capable of being produced by another, and a totally different condition of the air, namely, by the corruption of it. This corruption may take place in various ways, and exist in various degrees of intensity, and its effects will vary accordingly from the head-ache, produced by a crowded theatre, to the mortal fever occasioned by such a corruption of it as occurred in the black-hole of Calcutta, or such a state of it as exists naturally in the Grotto del Cane. There is this evident difference between an

epidemic constitution of the air, and a corruption of it. We know nothing whatever of the change of properties of the air which renders it capable of producing pestilential fever: often we are able to ascertain completely both the nature and the source of that corruption of the air which produces common fever. The effects of an epidemic constitution of the air extend over a whole country, or over a large portion of it; the effects of a corruption of the air are confined to that particular spot in which the deterioration takes place.

The modes are various in which the air may be so corrupted as to produce fever; the subject of contagion cannot be understood without attending to the causes which are capable of producing this corruption of the air; yet these have hitherto not been noticed. It is ascertained that this corruption may be produced by three causes: 1. By the confinement of the healthy exhalations of the human body. 2. By the confinement of the morbid exhalations of the human body. 3. By exhalations arising from the putrefaction of dead animal and vegetable matter. In point of fact these causes are among the most common and powerful agents in producing fever, and their operation can often be accurately traced.

1. Fever may be produced by the confinement of the healthy exhalations of the body; as in crowded and ill-ventilated apartments. The facts which establish this point are numerous and decisive. Allusion has already been made to the deterioration of the air which took place in the black-hole of Calcutta. Mr. Howell and others who escaped from that horrible situation were seized with typhus fever. Typhus fever may at any time be produced on board a ship simply by shutting down the hatches and keeping the persons on board confined between decks for a few days. Dr. Lind states, that in a frigate which sailed from North America with a healthy crew, a malignant fever broke out before her arrival in England during very bad weather; this fever affected a considerable number of the men; and the surgeon's mate, boatswain, and some others died of it: in this case a seasoned crew was attacked with a malignant fever in consequence of the hatchway being shut down. Sir James Fellows states, that towards the latter end of January, 1811, two English transports (Metcalf and Phyllerea) arrived in the bay of Cadiz from Gibraltar, having between 4 and 500 German recruits on board. They had been kept on board under quarantine for upwards of a month in Gibraltar-bay; and unfortunately, on the arrival of the transports in Cadiz, the weather became so tempestuous that the crews of these vessels and the soldiers were obliged to be kept below. During *the few days* that the hatches were

covered over, in consequence of the heavy rains, a complete typhus fever had been formed. In his examination by the Committee of the House of Commons, Dr. William Gladstone states, that men of war were formerly ballasted with shingles; that this ballast was often not shifted for many years; that when it was turned it produced fever in several of the ships, and that this fever assumed the character of the prevailing fever of the station (whatever it might be) at which the vessel happened to be at the time. Sir John Pringle states, that he has observed a mortal fever to arise in the hospital of an army, not only when crowded with sick, but at any time when the air is confined, and especially in hot weather. "I have observed the same sort to arise," he adds, "in full and crowded barracks, and in transport ships when filled beyond a due number and detained by contrary winds; or when the men have been long kept at sea under close hatches in stormy weather." For this reason hospital ships for distant expeditions have been generally destructive both to the sick and their attendants. Of course, fever is more readily produced and becomes more malignant when uncleanness is added to confinement. For both these reasons it most commonly arises, and is most malignant, amongst the poor.

2. Fever is capable of being produced by the confinement of morbid exhalations from the human body. Wherever people labouring under any diseases are crowded together, more especially if the apartments are imperfectly ventilated, malignant fever is sure to be generated. Sir John Pringle remarks, that it is incidental to every place ill-aired and dirty; that is filled with animal steams from foul and diseased bodies; and on this account, jails and military hospitals are most exposed to this kind of pestilential infection; as the first are in a constant state of impurity, and the latter are so much filled with the poisonous effluvia of sores, mortifications, dysenteric, and other fetid excrements; nay, there is reason to apprehend, that when a single person is taken ill of any fetid disease, such as the small-pox, dysentery, or the like, and lies in a small close apartment, he may fall into this malignant fever. A remarkable fact, stated to us as occurring under his own observation, by a distinguished surgeon attached to one of the large hospitals in London, is alone decisive of this point. He mentions, that, in a particular ward of his hospital, whenever the number of patients contained in it, that is, surgical patients (for it was a surgical ward), amounted to twenty, typhus-fever was sure to be generated; and that whenever the number did not exceed fifteen, the fever never appeared. This event was observed to happen so constantly, that, at length, it was made a rule not to

place more than fifteen patients in this ward, from which period fever never occurred.

3. Fever is often produced by the exhalations arising from the putrefaction of animal and vegetable matter. Typhus fever often spreads over the adjacent country when the dead are left unburied on the field of battle. Forestus mentions a malignant fever which raged at Egmont in North Holland, occasioned by the putrefaction of a whale which had been left on the shore. Senac gives an account of a malignant fever which was excited by the accumulation of the offal of a city without the walls. It was received into a ditch filled with water; while covered by the water no bad consequences resulted; but when the quantity increased so that it rose above the surface, a dreadful fever spread through the city and its neighbourhood, so that where four hundred used to die yearly, the deaths were increased to two thousand. The malignant fevers which prevail in low marshy situations, particularly in warm weather, are examples of the effect of the putrefaction of vegetable matter in producing these diseases.

Now, contagion has hitherto been universally confounded with this corruption of the air. The fevers produced by this corrupted atmosphere, have universally been stated to be produced by contagion. Every author, with scarcely a single exception, who has observed and recorded facts similar to those which have been mentioned, has represented them, not as proving the power of a corrupted atmosphere to excite malignant fever, but as establishing its power to generate contagious fever. But it is obvious that they do not afford the slightest evidence of the existence of a contagious influence; that the supposition of contagion is entirely gratuitous; that the exact, and the only point they prove is, the power of a corrupted air to produce malignant fever; that other evidence is necessary to prove that the fever so produced is contagious, namely, evidence that when once generated, it re-produces itself, by contact of the sick with the healthy in a pure atmosphere, and that it observes all the other laws of contagious diseases. So far is this from being proved, that every fact is in direct contradiction to it; it is certain that these fevers do not, in a pure atmosphere, re-produce themselves by contact; it is certain that they do not observe a single law of contagious diseases. The single error of thus confounding the influence of a corrupted atmosphere with the generation and communication of a specific animal poison, has produced the most extraordinary and universal confusion of ideas on this subject; we are satisfied that the removal of this source of misconception is all that is now needful to render it

perfectly luminous; we hope, and believe, it will be felt to be so by every intelligent and unprejudiced mind.

There are two fevers, for the especial purpose of elucidating the nature of which, we have entered into this discussion; namely, the yellow fever and the plague. The point to be ascertained is, whether or not these fevers are contagious; and in order to arrive at the truth, it is only necessary to examine whether they conform to the laws of contagious or of epidemic diseases. Let us, then, attend to the history of these fevers with a special reference to this matter; and first, of the yellow fever. This fever frequently prevails in various parts of Spain, and in Gibraltar, and proves extremely fatal. In 1821, whilst Dr. Maclean was in Spain, it attacked Barcelona, and with his wonted zeal he hastened to the spot in order that he might fully investigate its nature. Dr. Maclean is one of those extraordinary men who is capable of concentrating all the faculties of his mind, and of devoting the best years of his life, to the accomplishment of one great and benevolent object. In order to demonstrate what epidemic diseases really are, and what they are not, and to put an end to the errors which have so long, and so universally prevailed on this subject, errors which he believes to be the source of incalculable misery, and of certain death to millions of the human race, Dr. Maclean, with an energy scarcely to be paralleled, has devoted thirty years—a large portion of the active life of man. In this cause he has repeatedly risked that life; and for its sake he has encountered all sorts of suspicion and abuse; but the demonstrations of respect and gratitude which he has received from private individuals, and from public bodies, in all the countries which he has visited, have proved that the benevolence of his intentions has been recognized, and the value of his labours appreciated; and he may enjoy the further satisfaction of knowing, that his opinions are making a steady progress, not only in his own profession, but among well-informed men in every station; and that at no distant period they will universally prevail. Of the fever of Barcelona, in 1821, he has given so complete and masterly an account, that in order clearly to exhibit its nature (and it may stand as a paradigm of yellow fever), it is only necessary to select from the facts with which he has supplied us. In conjunction with ten native and four foreign physicians, who agreed regularly to assemble two evenings in the week, Dr. Maclean in the city which it was devastating, entered upon a minute and patient investigation of the nature of this disease. The names of the persons forming this association are recorded; they consisted of physicians of four different nations; they

were volunteers in the cause of science and humanity, serving at their own expense; they were actuated neither by the hope of reward, nor the dread of displeasure from any government or sect, or corporation, or individual; they acted in direct and obvious opposition to their minor personal interests; the resident physicians of Barcelona, especially, exposed their reputation and their fortune to great hazard; the investigation was continued regularly for the space of two months, and it is from the facts which were established in the course of it, the statement of which completely turned the current of opinion in Spain, that we derive the information we are about to offer.

1. In the first place, then, it appears that this disease was singularly diversified in the forms it assumed; that the combination, the succession, and the degree of its symptoms were so different in different cases, that it was difficult to assign to it any fixed and invariable progress, and that it was exceedingly irregular in the slowness or the quickness of its course. In all these respects it conformed to the first law of epidemic diseases, and was in contrast with that of a contagious disease.

2. This fever commenced in August, that is, precisely at that period of the year in which epidemics have always been known to manifest themselves in Spain and similar latitudes. Thus, in the epidemic which prevailed in Andalusia, in 1804, out of the twenty-three towns which it attacked that year, it commenced in the month of August in ten, and in September in eight. The fever of Barcelona continued to increase till the middle of October: the greatest mortality took place on the 19th of that month. This, also, is in strict conformity to the regular course of epidemics. In the epidemic of 1804, in sixteen towns in Spain, the greatest mortality took place in the month of October; in Cadiz, in Alicante, and at Gibraltar, by a singular coincidence, it took place on the same day, namely, the 9th of that month. From the 19th of October, the fever of Barcelona gradually declined, and subsequently it continued to diminish, in a regular and progressive manner, until its total disappearance. Thus this fever conformed to the second law of epidemic diseases.

3. It appears, that in Barcelona, from the neglect of the public police for many years, the sewers, drains, canals, and other channels for carrying away the impurities of the city, had been choked up, and become foul to such a degree, that towards the end of June it was impossible to pass by the sea wall, where they were discharged into the harbour, without being incommoded by the stench of accumulated and putrefying animal and vegetable substances. A committee which was charged with

the office of cleansing the port, discovered that the water-course was obstructed at its mouth by a bank of sand, which prevented its discharge, and, consequently, that a large quantity of stinking water was collected, the product of various manufactures, slaughter-houses, wash-houses, and other establishments situated on its banks, exhaling an insufferable stench. The foul water which stagnated around this sand bank was one foot higher than the level of the sea. Now, in the houses of Barcelona which faced the port, in the streets de los Encantes, de la Merced, Mencado, and others adjoining the focus of infection, the mortality was horrible, and nearly general; whilst in the streets of Santa Ana, Tallers, San Pedro, which are higher, and in others which are exposed to the north, and which are more distant from the focus of infection, there were very few sick. At a certain elevation, and at a certain distance from the south-east wind, which was the conductor of the noxious exhalations, as is proved by the course of the epidemic, not an individual sickened who had not been exposed to the causes affecting the lower part of the city. Indeed, the higher parts of Barcelona enjoyed a total exemption from the disease. These facts prove that the disease was a true epidemic; they are inexplicable on the supposition that it was propagated by contagion.

4. Certain facts connected with the origin, progress, and termination of this disease, afford irresistible evidence that it was an epidemic fever, and could not possibly be propagated by contagion. Thus it was common to see four, six, or even eight individuals of the same family simultaneously affected; that is in the same day, the same hour, the same instant. This might have arisen from an exposure to a pestilential air, it could not have arisen from contagion. It broke out in numerous points at once; it committed the most dreadful ravages in certain spots, while places in the closest proximity were entirely exempt from its attack. In a narrow street of Barcelona called Calle de la Daguizea, 130 persons died; in a place within ten yards of it not one perished. This difference appears to have depended upon the different position of the streets and houses in respect to the south-east wind. In Barcelonetta there were two families which resided close to each other—they both lived about the middle of the south side of Calla Santa Barbara—the houses were of the same size, plan, and structure. The easternmost family, that of Andrea Gallup, consisted of six persons, they kept a grocer's shop, and were in constant communication with the public—here not one was sick. The westernmost family consisted of ten members, they kept a wine and liquor

shop, and were also in constant communication with the public — here every one sickened and nine died. The grocer whose family did not suffer at all, was sheltered from the south-east wind; the spirit merchant's family, every member of which suffered, was directly exposed to it.

These facts are in perfect harmony with the usual cause of fever in this country. Of the fever at Gibraltar, in 1813, Mr. Gardiner, surgeon to the naval hospital, observes, that the disease did not spread from any focus, but broke out in fifty different places at once. "The rise and progress of our epidemics," says Mr. Amiel, "have never been traced in a satisfactory manner from a single point of contagion to a gradual number of individuals or families; and instead of creeping slowly from one district to another, cases have made their appearance unconnected and scattered at different points; and in some instances it has spread with the rapidity of the electric fluid, attacking persons who had never approached the sick or any assignable cause of contagion."

Like other epidemics, it was when the fever of Barcelona had acquired its greatest degree of extension, and produced its greatest mortality, that it began notably to decline. That day, as has been stated, was the 19th of October: on that day there died 246 persons, on the 2nd of November there died only 98; subsequently it diminished in a regular and progressive manner until its total disappearance.

This disease was never, in a single instance, communicated from person to person. When those who had contracted it in the city, removed into the country, whether they died or recovered, not a single case occurred of the communication of the malady, even to their nearest relative, *if the latter had not been in Barcelona.* Great numbers of persons passed the whole day in the capital, who retired at night to their families, either in country houses or in the nearest villages; in no case did they communicate the disease to any individual. There was a daily traffic of carriages, sick persons, mattresses, linen, clothes, and other furniture from that part of the city in which the disease was most prevalent and mortal, to unaffected places; these never conveyed the malady beyond the ditch which surrounds the city; nor was the disease transplanted, neither could it by any means be transplanted beyond that ditch.

The danger, so far from being in the direct ratio of intercourse with the sick, was, in many instances, in the inverse ratio. Whenever the hospitals were placed in healthy situations, the attendants on the sick, in these establishments, enjoyed even a greater exemption from disease than the inhabitants of the town

generally. The average proportion of persons who were seized, estimated upon the whole community, was about one in seven. In the General Hospital, the proportion of those who sickened among the attendants, was also one in seven; in the Lazaretto of the Vice Queen of Peru, it was one in eight; in the Hospital of the Seminario, it did not exceed one in thirty; in the Lazaretto of Nazareth, which was considered the foul Lazaretto, or the receptacle of the worst cases, there were thirty attendants on the sick: of these not one was seized. Surely this is evidence which no mind can resist, that this disease was not contagious.

Several families isolated themselves in their houses, and employed the most exact precautions for avoiding communication with the sick; but they did not by such means preserve themselves from the malady. Those who shut themselves up in good air, and who possessed the means of surrounding themselves with the conveniences and comforts of life, were uniformly exempt from disease; those who shut themselves up in the pestilential atmosphere, and who had not the means of rendering their condition comfortable, were sooner affected than those who mingled in indiscriminate intercourse.

We shall only advert to one circumstance more in proof that this disease is not propagated by contagion; but that is decisive; we refer to the effect of emigration. Those persons who left Barcelonetta, and who retired to a healthy situation, invariably remained unaffected, with the exception of a small number who were seized soon after they left the town, and who had evidently contracted the disease there. But neither those who, having come from the place where the disease was most prevalent, remained in health, nor those who fell sick, communicated the malady in a single instance, to the healthy inhabitants of the healthy places to which they removed. Mark the contrast. A barrier having been established between Barcelona and Barcelonetta so as to place the latter town in a state of isolation—what was the consequence? The barrier was established on the third of September; on that day there were in Barcelonetta nine sick persons; by the tenth the number increased to one hundred and sixty-two. Thus, in seven days from the isolation of the town, the daily mortality had increased eighteen-fold. Precisely the same effects followed a removal of the troops in the same fever which prevailed at Gibraltar. Mr. Martindale, in his official reply respecting this fever, states that in Dillon's regiment, which was quartered in the blue barracks, near the Moorish castle, a great number of the men took the fever; that several died; that, in consequence of this,

the regiment was sent to the neutral ground and encamped, and that *immediately* the fever stopped; that the 8th battalion of the 66th regiment arrived from Cadiz in a healthy state; that they were encamped in the governor's meadow; that shortly afterwards they went into town and were quartered in the cooperage range; that the fever *instantly* raged amongst them; that both officers and men suffered severely; that they were then sent back to the encampment, and that the disease, as in Dillon's, immediately ceased as if by magic. Further, Mr. Playfair, surgeon of Dillon's, records the following very important and illustrative fact:—That even after removal to the camp, in the governor's meadow, while the men of Dillon's regiment were allowed to enter the town, on fatigue duty, the fever still continued to prevail; but that from the day of their confinement to the neutral ground, they were quite free from it, *although they had equal intercourse with the inhabitants coming from town in which the disease was at that time very destructive.* And Mr. Amiel states that, no individual labouring under epidemic fever, on being removed to a pure and ventilated place, such as the neutral ground or Europa point, ever communicated the disease to those in the closest contact with him.

These facts afford the most irresistible evidence that this fever is a true epidemic. It conformed in every respect to the laws of epidemic diseases; it was without a single character of a contagious disease. So complete is this evidence, that it produced the fullest conviction in fifteen physicians, who assembled from all parts of Spain and of Europe to investigate the disease, and it produced a practical conviction in the Spanish Cortes, contrary to all their ancient, and deep-rooted prejudices; and, notwithstanding, that they had so recently witnessed the appalling extension and the horrible mortality of the disease. In America, also, Dr. Rush, who had been a warm advocate for the doctrine of the contagious nature of this malady, on a more patient and strict examination of its phenomena and history, became convinced that he was in error, and with a magnanimity, which has but few parallels, proclaimed to the world that he had thought and written on this very important subject in a manner calculated to mislead. "In the fourth volume" (Med. Enquiries and Observations), says this celebrated physician, "the reader will find a retraction of the author's former opinion of the yellow fever spreading by contagion. He begs forgiveness of the friends of science and humanity, if the publication of that opinion has had any influence in increasing the misery and mortality attendant upon that disease. Indeed, such is the pain he feels in recollecting

that he ever entertained or propagated it, that it will long, and perhaps always deprive him of the pleasure he might otherwise have derived from a review of his attempts to fulfil the public duties of his situation."

It is then impossible to resist the evidence that the yellow fever is an epidemic and not a contagious disease; let us in the same manner examine what the facts are with reference to the plague.

1. The phenomena of the plague are so exceedingly diversified that they embrace almost every symptom of disease which the human body is capable of exhibiting. Among these there is not one which may be considered pathognomonic. "It is as various," says Fra Louigi di Pavia, who attended a plague hospital thirty years, "as the complexions and constitutions of those unfortunate persons whom it attacks." Every where it has obtained the name of the proteiform disease. In Smyrna they reckon fifteen kinds of it. In the plague of Marseilles in 1720, the French physicians state that they could distinguish five distinct species. Every author gives a different account of the period which is necessary for the development of the disease, after the supposed application of the contagious matter. Demoullins says, "it is two or three days;" Giovanelli, "there is no certainty, as it depends on the constitution of the patient;" Theny, "the interval from the infection to the seizure is various; sometimes it acts slowly, sometimes like a stroke of lightning;" Verdoni, "generally the disease shows itself at the instant of the touch; sometimes it does not appear for several days;" Fra Louigi, "the infection shows itself in twenty-four hours, more or less, according to the difference of temperament;" Julius Cæsar Kelli, "it does not appear till after the second or third day;" Samoilowitz, "the interval between the infection and the appearance of the disease extends from ten to fifteen days inclusively." This malady, then, conforms to the first law of Epidemic diseases; its symptoms are various; their concourse and succession are indeterminate; their duration is uncertain; there is the utmost discrepancy of opinion as to the period which is necessary for the supposed contagious matter to produce the disease; were it really contagious, all these phenomena would be the exact reverse.

2. Like other epidemics, the plague begins and ceases at periods surprisingly regular; these periods correspond exactly to the usual epidemic seasons; thus, in Asia Minor, it prevails from April to July; at Smyrna, from February to June; at Constantinople, from July to December; in Europe, in the same Autumnal months.

3. The places in which it first appears are those in which epidemics invariably arise; namely, in the unhealthy situations occupied by the poor. In Smyrna, it originates and prevails most in particular low narrow streets, in which the houses are close, and which are inhabited by the lowest classes of the people. The plague which affected London in 1626 and 1636, first broke out in Whitechapel. In 1665 it made its first appearance, and produced its principal mortality, in St. Giles's. That of Marseilles, in 1720, appeared first, continued longest, and proved most fatal, in the *Rue de Lescalle.* In this respect it corresponded exactly with the late epidemics of Cadiz, which appeared first in the Santa Maria quarter, as those of Gibraltar broke out in Boyd's buildings. It has been shown, that a disease depending upon a specific contagion must prevail alike in all seasons, in a pure, as well as in an impure atmosphere, amongst the rich as readily as amongst the poor; and that the only influence of these adventitious circumstances would be to render the disease more or less severe.

4. The plague, in its commencement and progress, disappears and re-appears, and leaps from point to point, in a manner which is wholly incompatible with the nature of a contagious disease. In the great plague of London, which commenced in November 1664, between the first two deaths and the third, there intervened the period of a month; between the third and fourth, six weeks: the fourth did not happen until the 12th of February 1665; from that period, none took place until the 25th of April, an interval of upwards of nine weeks, or nearly twice as long as the utmost assigned duration of the supposed capability of communicating contagion. Three several times it ceased, and re-commenced in less than five months before it was fully established. But this faculty of subsiding and resuscitating, is wholly incompatible with the nature of a contagious malady. In the western parishes, as St. Giles's in the Fields, St. Andrew's Holborn, &c., it came to its height about the middle, and declined towards the end of July. In the north-western suburbs, as Cripplegate, &c., it came to its height towards the middle, and declined towards the end of August. In the eastern suburbs, in the city, and on the Southwark side, it did not come to its height till towards the middle, nor decline till towards the end of September, Whilst the disease was raging in the west, and there died of it in the two parishes of St. Martin's and St. Giles's, 421 there died in the city but 28, in Southwark 19, in Aldgate but 4, in Whitechapel but 3, and in Stepney but 1. Had the disease been contagious, this geographical progress would have been utterly

impossible. In the manner in which it terminated, it equally conformed to the law of epidemic diseases. It was exactly at the period when it raged with its utmost virulence, when the shutting up of houses and all other precautions had been abandoned in despair, and when from thirty to forty thousand persons were still labouring under the disease, that its further propagation, at the usual termination of the epidemic season, suddenly declined and ceased. No contagious disease could possibly have thus spread; could possibly have thus terminated: but supposing it to have depended upon the noxious qualities of the air, which may be so partial and so fluctuating, and which may increase, or diminish so slowly, or so instantaneously, all the phenomena which attended this, and which invariably attends similar diseases, are explained in the most satisfactory manner.

5. The plague, like other epidemics, is capable of attacking the same person repeatedly. Mr. Green, in his examination by the Committee of the House of Commons, states, that this is an ascertained fact: that it is the universal belief in Turkey, and that the Abbé who had the care of the Frank Hospital at Constantinople, was afflicted with it ten or twelve times. Mr. Edward Hayes, who was born at Smyrna, and resided there upwards of forty years, states to the same Committee, that he has known persons to be attacked by the plague ten times. When persons are convalescent from plague, the greatest anxiety is always entertained by their friends lest they should relapse.

But, besides this proof, derived from its strict conformity to all the laws of epidemics, there are numerous and most decisive facts, which demonstrate, that this disease is not contagious. It is the custom in Turkey for the relations of those who die of plague, to wear the clothes of the deceased, or to sell them in the public Bazaar; they are never destroyed: they are, invariably, either worn by the relatives, or sold at the public market; there is no instance on record of the communication of the disease by this means; the persons who deal in the clothes are not infected; the persons who wear them remain free from disease. The bedding of the dead is also sold. If a stranger die of plague, the Pacha takes possession of his property; the clothes form a part of that property; they are his perquisites: he orders them to be sold for his own benefit, and people dare not destroy them. The just inference from these facts, is stated by Mr. Green to the Committee of the House of Commons. "The plague," he observes, "frequently ceases suddenly, and does not recur for two, three, four or five years;

now the clothes of those who die of the disease, not being destroyed, but generally distributed and worn, as well as the bedding, I conceive that, if they were contagious, it would be impossible that we could be without the plague during that period."

The plague is not communicated by the contact of the affected with the unaffected. In Constantinople, persons with the plague upon them, mix daily with the rest of the people, visit the coffee-houses, and other places of public resort, without communicating the disease. Dr. Maclean states, that the servants of the Pest hospital, after having held the patients in their arms, and dressed their sores, went daily to the market without the smallest restraint, and without any communication of the disease. During his residence in the Greek Pest House, beyond the walls of Constantinople, near the Seven Towers, in 1815, in which he took up his abode while the plague was raging, for the sole purpose of investigating the nature of the disease, this enterprising physician states, that there were about twenty persons, who were in the most close and constant intercourse with the sick; that out of all this number, there was but one individual, and that was himself, who was attacked by the malady; that the persons who remained exempt, lived in the wing of the building which was occupied by the sick; that, for the most part, they inhabited the same rooms with the affected; that he, on the contrary, occupied the wing on the opposite side of the hospital; that he visited the patients every two hours through the day; that, consequently, the intercourse with the sick was more constant on the part of those who remained exempt from the malady, than on that of the person who was seized by it: that, on the other hand, the part of the building which he occupied, was directly exposed to the influence of a north-east wind, which was the noxious blast at that time of the year (August); and that, in its course it blew over the adjacent marshy ground, while the opposite side of the square, which faced the south-west, and which was occupied by the principal servants of the establishment, was sheltered from this pestiferous blast. It is the more necessary to state these circumstances, because the advocates of contagion have triumphed exceedingly at the trick which the plague wickedly played the doctor, as if in revenge of his unceasing endeavours to strip it of one of its most noble and appalling attributes. But, notwithstanding this partial victory of the disease over its arch enemy, and notwithstanding the joy testified by the believers in contagion, at its triumph, the fact will remain a standing proof, that the darling attribute of the former does

not exist, and that the cause of the latter is without hope:—the fact, that in the Pest hospital, to which the worst cases of plague that occurred in Constantinople were sent, in which circumstances peculiarly favoured the accumulation, and tended to exalt the malignity of the contagious matter, if it had really existed, out of twenty persons in the most close and constant intercourse with the sick, dressing their wounds, ministering to their necessities, performing all the offices which persons thus desperately afflicted require—only one individual was attacked by the malady, and that, the very person whose intercourse with the diseased was the least intimate and the least frequent. Instead of being an argument in favour of the existence of contagion in the plague, this fact is a proof arithmetically as nineteen to one against it.

But that persons may maintain, for any length of time, the closest possible intercourse with those who are affected with the plague, and who ultimately die of it, without being attacked by the disease, there is the most abundant evidence. Mr. Green states to the Committee of the House of Commons, that at Smyrna, in the year 1778, when the plague first broke out in that city, the son of an Armenian merchant was taken ill; that an intimate friend was sent with this young man to a place called Ortaquey, a village about four miles from Constantinople, on the banks of the Bosphorus; that the patient remained there nine days; that at the end of that time he died; that his malady proved to be the plague; that his friend attended him day and night, during the whole of his illness; that he slept in the same room, probably on the same sofa (for the sofas go all round the room), and yet was not affected by the disease; that afterwards the family removed to another village, where two of the servants were attacked with the plague, one of whom died; yet that neither his friend, nor the master nor mistress of the house, nor any other person was afflicted with the malady. Men who have perished by the plague, have lived with their wives, and women with their husbands, without communicating it. The Rev. Mr. Dawes, in his account of the plague of Aleppo, among many particulars, which he says are no less extraordinary than well attested, states, that a woman who suckled her own child of five months, was seized with a most severe plague, and died after a week's illness; that the child, though it suckled her, and lay in the same bed with her, during her whole disease, escaped the infection; that while the plague was making terrible ravages in the island of Cyprus, in the spring of 1760, a woman, after losing her husband and two children, who died in her arms of the plague, made it her daily em-

ployment to attend her sick neighbours, and yet escaped infection; that a Greek lad made it his business for many weeks to attend on the sick, to wash, dress, and bury the dead, and remained unhurt: that a blacksmith, who worked at Carthagena, but whose residence was at some distance without the walls, contracted the disease, and died in the same bed with his wife, yet neither herself nor their children were infected. Mr. Green states to the Committee of the House of Commons, that he has himself known instances of persons who have slept with others affected with the plague without taking the malady; that, for example, Mr. Staars, a Dutch merchant at Smyrna, had two daughters who slept together, that one was taken ill; that her sister continued to sleep with her; that at last the former died; that upon examination it was found she had died of the plague; that they found the buboes on her; that, nevertheless, her sister did not take the malady, nor did any of the family. He further states, that Mr. Parkins, an English merchant at Smyrna, had two daughters who also slept together; that one of them was seized with the plague; that she got well; that her sister continued to sleep with her during her illness; yet that she did not take the disease, nor did any of the family.

But it may be said that these are isolated facts; that, in this argument, individual cases, however striking, however calculated to impose on the imagination, ought to be reckoned as nothing; and that no events but such as are on a very large scale can warrant any general conclusion. Be it so. There are proofs of the same thing on as large a scale as can be desired. Mr. Green states in the Committee of the House of Commons, that if the plague exist at Constantinople and not at Smyrna, and persons affected with the plague go down from Constantinople to Smyrna, although they die there, the plague does not spread at Smyrna; and *vice versa;* that whenever it is carried into a place in which it does not exist, it never spreads; that about a year ago an English ship, the Smyrna, Captain Farmer, carried down two Turkish passengers from Constantinople to Smyrna; that one of these men died on board, of the plague, and that the other was landed at the port, about seven or eight miles off Smyrna; that the ship on her arrival performed forty days quarantine; that neither the captain nor his crew were affected with the disease; and that there is no instance on record of any English sailor dying on board the British merchantmen in Turkey. Dr. Russell has recorded a fact in confirmation of the non-contagious nature of this malady, which, for the singular completeness of the proof it affords, is one of extraordinary

value. In the month of April, 1759, a Turkish vessel from Alexandria was wrecked on the island of Cyprus; a great part of the crew who were saved happened to be infected with the plague; the contagion spread with great rapidity to the towns and villages. Mark the singular exception:—The town of Larnica, he says, at this time was remarkable. It had received a part of the infected crew; it had maintained a constant intercourse with the infected quarters of the island; peasants and mule-drivers from these parts with the pestilential sores on their bodies were daily in the streets and markets. Some of them died in the houses of Larnica; two vessels also arrived which landed infected passengers and sailors. Notwithstanding this new importation, none of the inhabitants of Larnica were known to have contracted the plague; *and yet the very year following it suffered most severely from plague,* in the months of February and March, when few or none of the affected recovered. The daily funerals were from twenty-five to thirty, and many of the inhabitants fled to the mountains. Here men affected with the plague, enter a town and have communication with its inhabitants; the disease spreads rapidly. Parts of the same crew, affected with the same disease, disembark in another town, and have the like communication with its inhabitants; the malady does not attack a single individual. What is the inference? what must every intelligent and unprejudiced man admit to be the only rational explanation? That in the towns and villages in which the plague appeared, there was that year a pestilential atmosphere, which would have produced the disease whether the crew of the ship from Alexandria had landed or not; that at Larnica, on the contrary, the atmosphere not being pestilential, the disease was not produced, notwithstanding the importation from Alexandria: that, however, on the following year the atmosphere in this place was pestilential, consequently the malady was produced, and would have been equally produced whether there were importation from a foreign region, whether there were intercourse with an affected place, or not.

We shall adduce but one fact, or rather one class of facts more in confirmation of the opinion which the preceding statements are more than sufficient to establish; it cannot, at least, be objected to these, that they are not on a scale sufficiently large. Sir Robert Wilson, in the Committee in the House of Commons, states, that while in Egypt he saw many cases of plague; that that part of the army, Turkish and British, which moved against Cairo, passed through the country where numerous villages were infected with the plague; that during

the march the soldiers had constant communication with those infected villages; that at Menoef, where the plague had raged with the greatest violence, it was found necessary to establish a bakery for the use of the army; that, however, none of the persons who attended that bakery became affected; that at Rahmanick there was a lazaretto or plague hospital; that it contained several men who were lying infected with the plague, and that many were brought out of it already dead; that others were dying in the environs of the town of the same disorder; that the Turks stript the bodies of all, indiscriminately, of their clothing; that there was no restraint whatsoever in the communication of the army with the inhabitants; that the inhabitants had also free access to the camps; yet that no plague was communicated to the troops; that the city of Cairo had lost a great many of inhabitants the same year by the plague; that when the army arrived at Cairo, and united with the Grand Vizier's army, many of the graves in which the inhabitants had been buried who had died of the plague were opened, and the bodies stripped of their clothing with which the Turks covered themselves; and yet that no soldier of either the British or Turkish armies became infected with the plague: that the disorder ceased between the 17th and 24th of June, at the precise time when its cessation had been anticipated. Moreover, that it was affirmed by the French officers that, although the plague raged in Cairo that year with very great violence and carried off some of the French army, yet that notwithstanding a constant communication was held between the garrison stationed in the citadel, and the inhabitants of the town, *the soldiers in the citadel were not affected with the disease.* That many thousands of the inhabitants of Lower Egypt had died that year of the plague; that the Indian army passing through Upper Egypt had traversed a country in which about sixty thousand inhabitants were said to have perished; that whole villages were destroyed; yet that the troops of that army brought no infection with them; nor were any precautions adopted to prevent contagion on their junction with the British and European army. "To these circumstances," he adds, "I was myself an eye witness. I would wish also to state, that as we moved through the country the inhabitants pointed out to us particular villages that were infected with the plague, *and which plague did not extend out of those particular villages to any of the contiguous villages, although there was no precaution whatever used as to the communication with the inhabitants of the infected villages.* Conversing with Dr. Desaguettes, the chief physician of the French army, and M. Assilini, the head surgeon of the

French army, they assured me that, whenever a battalion, infected with the plague, had been marched out of the infected place, the soldiers recovered, AND NEVER CONVEYED THE INFECTION TO OTHER GARRISONS; and that troops marching into that infected garrison which had been vacated, did not become themselves affected, *unless they remained there longer than eight or ten days.*" What makes the phenomena of this disorder more remarkable, continues this witness, " is, that the villages are insulated, and built on parallel lines, not more than 500 yards asunder; and though six or seven of those villages in one district may be affected with the plague, and though the inhabitants of those infected villages constantly pass through villages not infected, on their route to the Nile, yet though there is such a daily traverse and communication, the infection will remain in the villages where it broke out, and not extend infection through the district."

Now we do affirm, that if a man were to set himself to invent proof, that any given disease is not contagious, he could, by no effort of the imagination, suggest proof more precise, more complete, more overwhelming than that which is afforded by this narrative. It cannot be necessary to multiply testimonies: many others are on record, and might easily be cited; but without advancing another argument of any kind on this subject, we would merely put to any man of candour the following question: Suppose what we contend for to be true; suppose that the plague is really not contagious; suppose that this were a truth fully ascertained, and universally admitted, what proof could there be of it; what evidence is it possible to conceive which we do not possess? The disease obeys every law of an epidemic; it does not obey a single law of a contagious disease; it is not communicated by wearing clothes impregnated with the sweat, pus, and ichorous matter from the bodies of those who have died of the malady; it is not communicated by sleeping in the uncleansed beds of those who have perished of it; it is not communicated by coming into the closest possible contact with their living body; it is not communicated by sleeping in the same bed with them; the husband who dies in the arms of his wife communicates it not to her; sister communicates it not to sister; the child deriving sustenance from the breast of its mother, who is perishing, and who does perish by it, receives it not; the sick who fly for succour to a purer air, impart it not to the inhabitants of these more favoured places; whole armies continue in unrestrained and constant intercourse, with affected towns and villages, without receiving it in a single instance; again, then, we demand what proof is it

possible to imagine, that this malady is not contagious, which we do not actually possess? The Committee of the House of Commons, in their report on the doctrine of contagion in the plague, intimate, that this evidence is insufficient. That they should have so thought at that time is not surprising; the subject was new; it was not possible that such facts, brought before their view for the first time, should be comprehended in all their important bearings, or produce their full impression; these facts are now better understood; the argument is much simplified; the evidence is more complete; the mystery in which the subject was enveloped is removed; ancient prejudice is shaken; reason and science have put to silence the clamour of medical authority, more ignorant than it fancied itself learned, and still more illogical than ignorant; that voice has forced itself to be heard; it will continue to be heard, and the truths it announces will prevail: we trust we shall find, in the result of the investigation about to be instituted in the British Parliament, that the period of their triumph is at hand.

We are obliged, reluctantly, to postpone the investigation of the facts (as they are called) which are alleged to prove the contagious nature of the plague; we shall embrace an early opportunity of considering these "facts;" we shall weigh in the balance of justice the medical authority, and examine with some strictness the medical reasoning on which they are founded; we shall then enter into a full consideration of the Sanitary Code.

ART. VIII.—*The Book of the Church.* By Robert Southey, Esq. LL.D. Poet Laureate. 2vols. 8vo. Murray, London.

Strictures on the Poet Laureate's Book of the Church. By John Merlin.

The Book of the Roman Catholic Church: In a Series of Letters, addressed to Robert Southey, Esq. LL.D. on his Book of the Church. By Charles Butler, Esq.

MISLED by the name, we originally intended to place Mr. Bentham's Book of the Church, side by side with Dr. Southey's Book of the Church; that readers might have the "bane and antidote both before them." This idea was necessarily renounced as soon as we had read the volumes before us. What they furnish is not a Book of the Church, in any respectful sense of the word. It is an old woman's story-book; containing tales about the changes of religion, and the lives of the workers of wonders, in Great Britain, from the time of the people who set up rocking stones, and venerated the misletoe,

to the time of those who sent our legitimate sovereign to count his beads at Rome.

In the quality of matron of the nursery-telling stories to children,* we might not have great fault to find with this author. In fact we should not have deemed his faults worth noticing. But his book is so contrived, as to appear what it is not. It has put on the mask of history, and it is desirable that this should be torn off. It is the duty of an historian, as it is that of a judge, to state the evidence with equal care, with equal fulness, and equal accuracy, on both sides. Mr. Southey's practice brought vividly to our recollection the following anecdote, related by Mr. Wakefield. "In the lamented year 1798, a judge was notorious for his severity to all the prisoners who were tried, and for his gross partiality. One unfortunate wretch, brought before him, had met with some accident, in consequence of which his jaw bone, on one side, had become much enlarged. The judge, ambitious of sporting his wit, could not omit this opportunity, and remarked to the prisoner's counsel, that his client would have made an excellent lawyer, as he had so much jaw. I do not know, replied the facetious barrister, whether he would have made a good lawyer, but I am sure he would have made a bad judge, for *his jaw is all on one side.*"†

There are indications that the Church, as often happens to elderly persons, is falling into her dotage. Among these symptoms, one of not the least remarkable is this Book of hers, from the pen of one who proves himself her son, by so many decisive marks of consanguinity. It is a poor imitation of a stale trick of the Romish church. Nothing is more notorious than her books of the lives of her saints, or the use she makes of them. Robert Southey's is a book of the lives of the saints of the English church, and he desires to derive from it a similar advantage.

The Romanists collect tales of the pieties, and the sufferings, and the doings, of numbers of individuals. Then comes the application, how admirable the church which has produced such admirable men, and on account of which such admirable men have undergone actively and passively—the things which are set forth. On all such persons as can feel, but cannot reason—a large class—this is expected to produce a great effect. In less enlightened ages, in the hands of the Romish priests,

* "I offer it," he says, "to fathers [quære, *mothers*], which they may put into the hands of their children." We shall presently see what sort of a manual it is.

† An account of Ireland, Statistical and Political, by Edward Wakefield v. ii. p. 344.

it did produce extraordinary effects. Mr. Southey imagines, that even in the present age it may produce some effect; especially upon "children;" for whose use, and that of another class, namely those who are already prepossessed with opinions favourable to the trick, he gives plain intimation that it is principally intended. Our story-teller prefaceth in following wise:

'Manifold as are the blessings for which Englishmen are beholden to the institutions of their country; there is no part of those institutions from which they derive more important advantages than from its Church Establishment, none by which the temporal condition of all ranks has been so materially improved. So many of our countrymen would not be ungrateful for these benefits, if they knew how numerous and how great they are, how dearly they were prized by our forefathers, and at how dear a price they were purchased for our inheritance; by what religious exertions, what heroic devotion, what precious lives, consumed in pious labours, wasted away in dungeons, or offered up amid the flames. This is a knowledge which, if early inculcated, might arm the young heart against the pestilent errors of these distempered times. I offer, therefore, to those who regard with love and reverence the religion which they have received from their fathers, a brief but comprehensive record, diligently, faithfully, and conscientiously composed, which they may put into the hands of their children. Herein it will be seen from what heathenish delusions and inhuman rites the inhabitants of this island have been delivered by the Christian faith; in what manner the best interests of the country were advanced by the clergy even during the darkest ages of papal domination; the errors and crimes of the Romish Church, and how, when its corruptions were at the worst, the day-break of the Reformation appeared among us: the progress of that Reformation through evil and through good; the establishment of a Church, pure in its doctrines, irreproachable in its order, beautiful in its forms; and the conduct of that Church proved both in adverse and in prosperous times, alike faithful to its principles when it adhered to the monarchy during a successful rebellion, and when it opposed the monarch who would have brought back the Romish superstition, and together with the religion, would have overthrown the liberties, of England.'

This deserves a commentary, because it contains the substance of the whole book, and exhibits a fair specimen of the spirit in which it has been composed.

The argument is worth observing: put into regular form it stands thus:

Every church which can enumerate votaries who have suffered and lived in such a manner as to excite applause, is an excellent church:

Church of England can exhibit such votaries; witness the contents of the present pages:

Ergo, church of England is excellent church.

What strikes one, first, in this reasoning, is the exquisite folly of it. When one comes to one's second thought, it occurs that Mr. Southey may have had his reasons.

It is not what arguments are good, but what arguments will answer his purpose, that sometimes is the main look out of an author. In this point of view, the reasoning of Mr. Southey may not be the worse for its being absurd. The dignitaries of the church, we understand, are active in circulating his production; in hopes no doubt that the same sort of advantage which the Romanists have derived to their church from stories of its saints, may redound through a similar channel to theirs.

To return to the sapient inference, the grand proposition of this book, that a church is excellent, if it has had men that would suffer for it—let us ask, if there ever was a church without such men? The fact is proverbial.

> Of whatsoe'er descent their godhead be,
> Stock, stone, or other homely pedigree,
> In his defence his servants are as bold
> As if he had been born of beaten gold.

The motives are no mystery at this time of day, which mounted Simeon Stilites on his pillar, which lay the Indian Yogee on a bed of spikes, which made, but a few years ago, the convulsionaries in Paris submit to the pains of the cross, which supported Servetus, as well as Cranmer, at the stake. When credit is to be gained by suffering, when was there a want of parties to suffer? Suffering, in favour of almost every cause, gains it credit, and excites admiration of him by whom it is voluntarily undergone. If this is a proof of a good cause no cause was ever so bad as to be without it. Thus Mr. S. himself:

'It was deemed meritorious to disfigure the body by neglect and filth, to extenuate it by fasting and watchfulness, to lacerate it with stripes, and to fret the wounds with cilices of horsehair. Linen was proscribed among the monastic orders; and the use of the warm bath, which, being not less conducive to health than to cleanliness, had become general in all the Roman provinces, ceased throughout Christendom, because, according to the morality of the monastic school, cleanliness itself was a luxury, and to procure it by pleasurable means, was a positive sin. The fanatics in Europe did not, indeed, like their predecessors in Syria and Egypt, cast off all clothing, and, by going on all-fours, reduce themselves to a likeness with beasts, as far as self-degradation could effect it, in form and appearance, as well as in their manner of life; but they devised other means of debasing themselves, almost as effectual. There were some saints, who never washed themselves, and made it a point of conscience never to disturb the vermin, who were the proper accompaniments of such sanctity; in as far as they occasioned pain while burrowing, or at pasture, they were increasing the stock of

the aspirant's merits, that treasure which he was desirous of laying up in heaven; and he thought it unjust to deprive his little progeny of their present Paradise, seeing they had no other to expect! The act of eating they made an exercise of penance, by mingling whatever was most nauseous with their food; and it would literally sicken the reader, were the victories here to be related which they achieved over the reluctant stomach, and which, with other details of sanctimonious nastiness, are recorded in innumerable Roman Catholic books, for edification and example! They bound chains round the body which eat into the flesh; or fastened graters upon the breast and back; or girded themselves with bandages of bristles intermixed with points of wire. Cases of horrid self-mutilation were sometimes discovered; and many perished by a painful and lingering suicide, believing that, in the torments which they inflicted upon themselves, they were offering an acceptable sacrifice to their Creator. Some became famous for the number of their daily genuflections; others for immersing themselves to the neck in cold water during winter, while they recited the Psalter. The English saint, Simon Stock, obtained his name and his saintship for passing many years in a hollow tree. St. Dominic,* the Cuirassier, was distinguished for his iron dress, and for flogging himself, with a scourge in each hand, day and night; and the blessed Arnulph, of Villars, in Brabant, immortalized himself by inventing, for his own use, an under-waistcoat of hedgehog-skins, of which it appears five were required for the back, six for the front and sides.

'The strength of the will was manifested in these aberrations of reason, as prodigiously as strength of body is sometimes displayed in madness; nor can it be doubted, that these fanatics, amid their pain, derived pleasure as well from the pride of voluntary endurance, as from the anticipation of their reward in heaven. The extremes of humiliation and debasement produced also a pride and self-sufficiency not less extravagant in their kind. They, whose austerities were the most excessive, were regarded by the people as living saints, and exhibited as such by other members of the community, who had the same belief, but not the same fervour; or who, not having the same sincerity, considered only in what manner the madness of their fellows might be turned to advantage.'

Southey is perfectly right. The "pride of voluntary endurance" does afford a "pleasure;" and, under circumstances of excitement, so great a pleasure, as overbalances all the terrors of bodily torture, and of death itself. Of so vulgar a fact in the history of human nature, having also the powerful testimony of Dr. Southey in its favour, we need not consume our limited space by offering any illustration. The desirable thing would

'* I have given an account of this saint in the *Quarterly Review*, vol. xxii. p. 79. And the reader who is desirous of seeing another example, not less curious, of Roman Catholic superstition in its excess, is referred to the sketch of P. Joam d'Almeida's life, in my *History of Brazil*, vol. ii. p. 684.'

be, to shew, on what frivolous occasions the phenomenon, in its most perfect state, is apt to exhibit itself.

But the martyrs of the Church of England were not merely sufferers; they were more; they were, in one word, which imports all excellence, *saints*.

The martyrs of all churches are saints. Saintship hardly ever means any thing else, than a wonderful attention to the ceremonials of religion, with a superiority to the pleasures of sense. The same turn of mind which renders a man superior to the pains of the body, and makes him brave torment, is likely to make him a model of abstinence, where abstinence as well as suffering is a source of admiration. The very worst orders of the Romish Church, those by which the abuses of religion were carried to the greatest height, had shining characters to obtain credit by. We adduce again the evidence of Dr. Southey. Of the mendicant orders he says,

'The influence which these orders obtained was, for a time, prodigious; it was produced partly by the pure enthusiasm of the virtuous members—partly by the reputation of others (for they could boast some of the subtlest and profoundest intellects that the world has ever seen) —and partly by the implicit belief with which their enormous fables were received. Elated by success, and, as it seems, secretly conscious how little the system which they taught resembled the religion of the Apostles, they conceived a plan for superseding the Gospel; and this was so congenial to the temper of both orders, that it is doubtful whether it proceeded from a Dominican or Franciscan. The opinion which they started was, that as there were three Persons in one Godhead, the scheme of Providence was, that there should be three dispensations, one from each Person. That of the Father had terminated when the Law was abolished by the Gospel; that of the Son was now drawing, in like manner, to its close, and was to be superseded by that of the Holy Spirit. The uses of the Gospel, therefore, were obsolete; and in its place they produced a book, in the name of the Holy Ghost, under the title of the Eternal Gospel. The first dispensation had been for married persons; this had prepared the way for the clergy in the second; the regulars, being as much purer than the clergy, as these were than the Jews and Patriarchs, were, under the third, to become rulers of the Church, with greater authority than had ever been granted to the Apostles. Under the first, men had lived after the flesh; under the second, in a mixed state between the flesh and the spirit; in the third, they would live wholly according to the spirit, and the scheme of Providence would be fulfilled. In this, however, they went too far: the minds of men were not yet subdued to this. The Eternal Gospel was condemned by the Church; and the Mendicants were fain to content themselves with disfiguring the religion which they were not allowed to set aside.'

If the Church of England, then, ever so much abounded in martyrdom and saintship, it would be to none, but to people of

the weakest intellects, the smallest proof of any excellence belonging to it; but the fact is, that the Church of England is remarkably ill-supplied with such ornaments. For one martyr that the Church of England can produce, the Church of Rome can produce thousands.

In respect to saints, her decorations are still more deficient. In fact it is one of the most remarkable things about the Church of England that she has produced so few men eminent for any thing, even for the priestly virtues, leaving altogether out of the question those moral and intellectual qualities, by which the interests of the species are promoted. What men has she to compare in all the apostolical virtues with a Wesley, or a Whitfield? Whom has she to produce that can be named along with Fenelon, for the virtues of humility, meekness, benevolence, and self denial, combined with the most sublime genius? Whom has she to compare with Bossuet and Massillon for eloquence? With Pascal, for almost every gift?* This book, in fact, is the strongest of all proofs of the beggarly state of the Church of England, in respect to men of eminence, when it is obliged to chuse for the most distinguished ornament of that church, such a man as Laud; who pursued none but the most vulgar objects, and by none but the most vulgar means; who had nothing in his composition but what was mean; a flatterer and intriguer; a backbiter and slanderer; deceitful, envious, jealous, cruel; a man who ranked low even in the vulgar walks of literature; whose understanding was at once contracted, and perverted; who had a mind formed for little objects which he pursued, and with the fury of a little mind, as great ones;

* 'Will even Mr. Southey venture to compare, in point of Christian morality and piety, a Peter Bruys with his great opponent St. Bernard? a Tanchelin with St. Norbert? or a Wickliffe, with his enemy William of Wykeham? Will he compare Thomas Cranmer with Sir Thomas More? or Ann Boleyn with Catharine of Arragon? or Queen Elizabeth with the Queen of Scots? Conscious that no miracles have ever illustrated any other church than that to which its Divine Founder promised a continuation of them,* the Poet on every occasion treats these supernatural events, however strongly attested, as refuted impostures. He is particularly indignant at the stigmata of the devout contemplative St. Francis, which, though witnessed by numerous persons of the highest credit, he, on his own personal credit, pronounces to be "atrocious effrontery and blasphemous impiety." Referring afterwards to a book called, *The Conformities of St. Francis with Christ,* which he knows was condemned by the Church, he also quotes, at considerable length, another absurd legend, *The Eternal Gospel,* in order to render the Church odious and ridiculous; at the same time that he himself acknowledges it to have been condemned by her.'—*Merlin's "Strictures,"* p. 23.

* Mark xvi. 17. John xiv. 12.

scrupulous in the small moralities, while he made a sacrifice of the greatest; a man with whom the interests of his own order were every thing; the interests of the rest of mankind nothing.

But we must not anticipate. Laud will meet us again. He is Southey's hero; and we shall have occasion to examine, pretty fully, of what *lignum* his Mercury is made.

We shall not think it necessary to pay much attention to Southey in the early part of his work. It is merely the vulgar view of the ecclesiastical affairs of England, down to the commencement of Non-conformity; and if it can do no good, it will do little harm. We have long lives of St. Dunstan, and St. Becket, full of stories, intended to be entertaining ("to children") of which the following may be taken as a sample.

'The Anglo-Saxon monasteries had never been under any uniform discipline; each followed its own rule, independent of all others. Glastonbury at this time was mostly filled with monks from Ireland; it was favourite ground with them for St. Patrick's sake, and as they had no large endowments, they contributed to their own support by educating the children of the nobles. Dunstan was one of their pupils. In such a school local associations would produce and foster ardent enthusiasm, or audacious craft, according to the disposition of the individual. A feeble body and a commanding intellect predisposed him for both in turn. He was of diminutive size from his birth, and by severe application to study brought on a disease, in which, after having been delirious for many days, he was thought to be at the point of death. But feeling at night a sudden excitement as if health were restored, he rose from his bed, and ran towards the church to return thanks for his recovery. The doors were closed, but he found a ladder left there by workmen, who had been repairing the roof; by this he ascended, and in the morning was found asleep in the church, unconscious how he had come there. They who larded the history of his life with miracles, assert, that as he was going there the devil beset him with a pack of fiendish dogs, and was driven away by his strenuous exertions; and that angels had borne him down where it was not possible for him to have descended without supernatural assistance. Divested of such machinery, the fact appears to be, that, in an access of delirium, or perhaps in his sleep, he had got into the church, by some perilous mode of descent, which he would not have attempted in his senses; he himself at the time might easily believe this to be miraculous, and from thenceforth he was regarded as a youth of whom something extraordinary was to be expected.'

Mr. Southey, however, occasionally quits the office of the story-teller, to assume that of the Theological Doctor in his chair. We must exhibit a little of him in that capacity.

'Britain has the credit or discredit (whichever it may be deemed) of having given birth to Pelagius, the most remarkable man of whom Wales

can boast, and the most reasonable of all those men whom the ancient Church has branded with the note of heresy. He erred, indeed, in denying that there is an original taint in human nature—a radical infirmity—an innate and congenital disease—to the existence whereof the heart of every one, who dares look into his own, bears unwilling but unerring testimony; a perilous error this, and the less venial, because it implies a want of that humility which is the foundation of wisdom, as well as of Christian virtue. But he vindicated the goodness of God, by asserting the free-will of man; and he judged more sanely of the Creator than his triumphant antagonist, St. Augustine, who, retaining too much of the philosophy which he had learnt in the Manichean school, infected with it the whole Church during many centuries, and afterwards divided both the Protestant and the Catholic world. Augustine is too eminent a man to be named without respect; but of all those ambitious spirits, who have adulterated the pure doctrines of revelation with their own opinions, he, perhaps, is the one who has produced the widest and the most injurious effects.

'Augustine was victorious in the controversy: his, indeed, was the commanding intellect of that age. The opinions of Pelagius were condemned, but it was not possible to suppress them; and the errors of both soon became so curiously blended, that it would be difficult to say which predominated in the preposterous consequences to which their union led. From the African theologue, more than from any other teacher, the notion of the absolute wickedness of human nature was derived; and the tenet of two hostile principles in man, which had led to such extravagancies among the Eastern Christians, was established in the Western Church. Through the British heresiarch, the more reasonable opinion, that the actions of good men were meritorious in themselves, obtained. Cassian, whose collations were the great fount of monastic legislation in Europe, held that modified scheme, which has been called the Semi-Pelagian. But with him, and with the monks, the opinion ceased to be reasonable: the extremes were made to meet; and the practical consequences, deduced from the monkish doctrine of merits, coalesced perfectly with the Manichean principle, which had now taken root in the corruptions of Christianity.'

What is done here by the author, is, to declare for the Arminian theory of Christianity against the Calvinistic. Not contented with determining that the one is true, the other false, which, upon the *ipse dixit* of Mr. Laureat Southey, might have been deemed sufficient; he goes on to condemn the Calvinistic or Augustinian doctrine, as productive of the most injurious effects.

By what warrant does he take upon himself to pronounce, that Calvinism leads to worse consequences than Arminianism? Does he produce any reason for his imputation? Not the shadow of a reason: nor can he. Does he not know—he does know—that those who hold the opinions corresponding, or most nearly corresponding with the Calvinistic, are distin-

guished, and always have been, for an exact and scrupulous observance of the precepts of the Gospel, above all other denominations of Christians. Does this betoken evil tendency? How does Mr. Southey reconcile experience with his theory? Alas! it is one of the last of considerations with Mr. Southey to reconcile his dogmas either with reason or with experience. How he comes by them we shall not undertake to say. How he defends them he affords the public occasion enough to perceive.

One of not the least remarkable qualifications of Dr. Southey for writing the Book of the Church is, his gross ignorance of almost every topic of dispute which is included within the limits of the undertaking. He talks here, for example, of the Manichæan school, not only like a man who had now heard of it for the first time, but like a man who supposes it to be the very reverse of what it is. He describes it as bearing an affinity to the Augustinian or Calvinistic doctrine; whereas, the fact is, that the Calvinistic, of all the theories of Christianity, the most perfectly excludes Manichæism; while the Arminian doctrine is justly chargeable with being Manichæism at the bottom; and when analysed to its elements, with being strictly resolvable into that ancient and exploded heresy.

The Manichæans held, that God admitted the existence of evil, because, from the existence of some unknown, but uncontrollable cause, which they called the principle of evil, he was not able to prevent it. The Calvinists say, that all the evil which exists in the universe, was not only permitted, but ordained by God—ordained for certain good purposes, of which it is beyond our competence to judge. Can any two doctrines be more completely opposed to one another than these?

On the other hand, the Arminians say, that God, so far from ordaining, did not intend evil. But moral agents must be free agents, and being free they must be fallible—hence the origin of evil, not with, but contrary to, the will of God. In other words, God was unable to prevent it, owing to some unknown, but uncontrollable cause. And what is this, in reality, but the principle of evil of the Manichæans? So utterly incapable is Mr. Southey of treating of subjects of the utmost importance, on which he has assumed the title to decide.

In the following effusion of zeal against the Catholic church, the author is betrayed into sins against his own church:

"The uses of conscience were at an end when it was delivered into the keeping of a confessor. Actions, then, instead of being tried by the eternal standard of right and wrong, on which the unsophisticated heart unerringly pronounces, were judged by the rules of a pernicious ca-

suistry, the intent of which was, to make men satisfied with themselves upon the cheapest terms. The inevitable effect was, that the fear of human laws became the only restraint upon evil propensities, when men were taught to believe that the account with Divine Justice might easily be settled.

'If the boundless credulity of mankind be a mournful subject for consideration, as in truth it is, it is yet more mournful to observe the profligate wickedness with which that credulity has been abused. The Church of Rome appears to have delighted in insulting, as well as in abusing it, and to have pleased itself with discovering how far it was possible to subdue and degrade the human intellect, as an eastern despot measures his own greatness by the servile prostration of his subjects.'

"An eternal standard of right and wrong—on which the unsophisticated heart unerringly pronounces;" If there is such a standard, so unerringly perceived, what becomes of the argument for the divinity of the New Testament, derived from the excellence, unattainable by human reason, of its morality?

"The fear of human laws became the only restraint upon evil propensities:" Human laws, then, are adequate, without religion, to the support of human society—contrary to the argument, in favour of religion—the famous argument of Warburton, for example, to prove the Divine Legation of Moses—that human society cannot subsist without the aid of the motives arising from the religious sanction. Southey's ignorance and rashness make him a very dangerous advocate.

The "credulity of mankind" is, no doubt, as Southey represents it, one miracle; and the manner in which it "has been abused" another. But this is a delicate subject for a Church-of-Englandist to handle; and we advise the sound heads of that body to keep Mr. Southey's pen away from it.

To set up the Church of England, for which purpose he wrote its Book, Mr. Southey imagined he had two things to do. The first was, to pull down the Church of Rome; the next was, to pull down the Dissenters. The first he essays in the early part of his work; to the last, the concluding part of his achievement is devoted. For his demerits, in respect to the Mother Church, we shall leave him to his Catholic critics, of whom we see that a sufficient number have taken up the pen; and as far as rashness, and ignorance, and groundless abuse, are concerned, have had no difficulty in making out a case against the panegyrist of England's "excellent church."

Merlin, which is the anagram of Milner, a well-known champion, is nearly as liberal in rough epithets as Mr. Southey himself. Mr. Butler is more gentle and urbane. He uses, indeed, such a superabundance of civilities towards a man who thinks that abuse makes up for the want of argument and

fact, that he probably had the scripture maxim in his eye "Answer not a fool according to his folly, lest thou also be like unto him."*

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* Mr. Butler, however, notwithstanding all his polish, can be thoroughly foul-mouthed, and a good deal worse, when he thinks there is something to gain, and nothing to fear from it. "There is not," (he says p. 111, speaking of the abuse of Indulgences) "in the universe, a territory in which, in every secular, and every ecclesiastical department, some abuse does not exist; are we on that account, to conclude with the Lollards, and other Manichæan radicals, that all government is evil." "MANICHÆAN" is an old *religious* term of reproach; "RADICAL" is a modern *political* term of reproach, and Butler applies them both, in the true spirit of Catholicism, to blacken the memory of the first reformers; with the same truth as if he had told us, that each man of them had seven heads and ten horns. The Lollards were Wicliff and his followers. The character of Wicliff is given us by Mr. Gilpin, in his work intitled, "Lives of the Reformers," in the following words:

'Such was the life of John Wicliff; whom we hesitate not to admire as one of the greatest ornaments of his country; and as one of those prodigies, whom Providence raises up, and directs as its instruments to enlighten mankind. His amazing penetration; his rational manner of thinking; and the noble freedom of his spirit, are equally the objects of our admiration. Wicliff was in religion, what Bacon was afterwards in science; the great detecter of those arts and glosses, which the barbarism of ages had drawn together to obscure the mind of man.

'To this intuitive genius Christendom was unquestionably more obliged than to any name in the list of reformers. He explored the regions of darkness, and let in not a feeble and glimmering ray; but such an effulgence of light, as was never afterwards obscured. He not only loosened prejudices, but advanced such clear incontestible truths, as, having once obtained footing, still kept their ground, and even in an age of reformation wanted little amendment. How nearly his sentiments, almost on every topic, agreed with those of the reformers of the succeeding century, hath been made the subject of set inquiries, and will easily appear from a general view of his opinions.'

Mr. Gilpin pursues the history of the Lollards through the Life of Lord Cobham, which contains so many liberal sentiments, finely expressed, as redeems many aukward attempts of his brethren in the cause of illiberality. We should like to quote, but must content ourselves with referring to, the following passages: that containing the character of Lord Cobham, at p. 100 to 103; and a clear exposition of the ground upon which Mr. Butler presumes to say, that the Lollards held "all government an evil," at p. 126 to 131, both in the first volume. The reader who looks at these passages will be satisfied, that Mr. Butler's defamatory facts, as well as Mr. Southey's, stand in need of authentication.

Mr. Butler may have copied this abuse from his fellow labourer Merlin (Milner.) "Nothing so easy," says John, "as to calumniate. Accordingly the Poet, by a fiction of his own, says, 'the corrupt lives of the clergy provoked inquiry into their doctrine, and caused the first Reformers, meaning the Wicliffites and Hussites, to fraternize with the inhabitants of the Alpine and Pyrenean countries, who,' he says, 'had preserved the truth of better ages,' meaning, the obscene Manichæans, called Albigenses, and the seditious fanatics, the Vaudois."

The other part of Mr. Southey's undertaking, namely, to traduce the cause of Dissent; to fix an odious character upon Non-conformity, in order to recommend the Established Church, has not yet been met as it deserves. Our object in

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The Catholics have the strongest motive to blacken the character of these Puritans; for dreadful is the account which stands against them, for that persecuted people.

Mr. Butler's charge against our first Puritans was, that they were Manichæan and radical. Milner's charge against the first continental Puritans is, that they were Manichæan, radical, and obscene. Obscenity and sedition were imputed to the early Christians, by the Pagans; and regularly, after Christianity was established, by the party in power, to those who dissented from them. As it was in the beginning, it is now, but so it ever shall not be. The term Manichæan embraced a great variety of sects, which were all put down by the triumphant Catholics, their books destroyed, and their name made a term of reproach, by which to denote whomsoever the Catholic wished to point out for abhorrence. This became a habit so inveterate, that a Catholic, we see, cannot even now leave it off.

"Obscene." On this point we must quote an entertaining passage from Bayle, [Réponse aux Questions d'un Provençael, 4me Partie, ch. 16.] "Cet Historien" [Léger, Histoire des Eglises Vaudoises] aiant raporté le temoignage que deux Inquisiteurs ont rendu aux bonnes mœurs des Vaudois, le fortifie par un passage de M. de Thou, et par ces paroles de Baronius. *Valdenses tactum omnem mulierum refugisse, qu'ils ont fuy toute fréquentation de femmes, c'est à dire, toute fréquentation illicite, et par la belle preuve qu'en donne Radulphus Cogeshalensis, Moine Anglois . . . où il confirme ce qu'il dit de la sainteté de la vie des Vaudois, et particulièrement de leur chasteté par l'exemple d'une fille, qui se trouvant fort pressée par un jeune homme lascif de se laisser aller à la paillardise, répondit: Dieu ne veuille jamais permettre, ô bon jeune homme, que je devienne jusques-là ton amie, ni l'amie d'homme vivant; car je sçai bien que si j'avois prostitué ma virginité et souillé mon corps, je serois éternellement damnée. Quod audiens Magister Gervasius, ajoûte-t-il, intellexit protinus hanc esse de impurissima secta Valdensium;* c'est à dire, *ce qu'ayant ouy nôtre Maître Gervais, il reconnut d'abord qu'elle estoit de la très-impure secte des Vaudois: remarque cher Lecteur, à quoy ce brave Maître reconnoît l'impureté de la secte Vaudoise, assavoir à la chasteté exemplaire de leurs Filles.*"

Of the corresponding defamation of the Manichæans, which, among instructed and honest men, is now mentioned only to be laughed at, we should not have thought it necessary to adduce any exposure, if the following had not lain open before us in the same page of Bayle.

"Voici ce que Fauste le Manichéen disoit aux Catholiques chez Saint Augustin: *Vous me demandez si je reçois l'Evangile? Vous le voyez en ce que j'observe ce que l'Evangile prescrit: c'est à vous à qui je dois demander si vous le recevez, puis que je n'en voy aucune marque dans vostre vie. Pour moy j'ay quitté père, mère, femme et enfans, l'or, l'argent, le manger, le boire, les délices, les voluptez, content d'avoir ce qu'il faut pour la vie d'un jour à l'autre. Je suis pauvre, je suis pacifique, je pleure, je souffre la faim et la soif, je suis persecuté pour la justice, et vous doutez que je reçoive l'Evangile?*

"M. l'Evêque de Meaux, qui raporte ces paroles, venoit de dire que

the remainder of this article is, to show to the friends of religious liberty, that they have here a very zealous, at least, if not a very formidable adversary.

In Southey's mode of dealing with any party obnoxious to him, the first thing which presents itself for notice always is abusive language. The whole of the non-conformists, into whatever classes divided, and by whatever diversities distinguished, are clubbed by him under the appellation of Puritans, the cant name by which they were, in mockery, designated by their enemies at the time. Of this we do not complain. This has long ceased to be a term of reproach. The following are appellatives in Southey's own style:

"The coarse and brutal spirit of triumphant puritanism"—(vol. ii. p. 403). "Their" [the Puritans] "own bloody intolerance"—(p. 401). "The apostles of rebellion"—(p. 398). "Another *belwether* of rebellion"—(p. 399). "The faction pursued their designs against the Church with all the unrelenting malice of inveterate and triumphant hatred"—(p. 396). "The gospel itself was perverted [by the Puritans] to encourage plunder,

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les Manichéens du XIII. siècle *avoient un exterieur surprenant.* Encervin, ajoûte-t-il, "les fait parler en ces termes: *Vous autres*, disoient-ils aux Catholiques, *vous joignez maison à maison et champ à champ; les plus parfaits d'entre vous, comme les Moines et les Chanoines réguliers, s'ils ne possédent point de biens en propre, les ont du moins en commun. Nous qui sommes les pauvres de Jésus Christ sans repos, sans domicile certain, nous errons de ville en ville comme des brebis au milieu des loups, et nous souffrons persécution comme les Apostres et les Martyrs.* En suite ils vantoient leurs abstinences, leurs jeusnes, la voye étroite où ils marchoient, et se disoient les seuls sectateurs de la vie Apostolique, parce que se contentant du necessaire, ils n'avoient ni maison, ni terre, ni richesses. *A cause*, disoient-ils, *que Jésus Christ n'avoit ni possédé de semblables choses, ni permis à ses disciples d'en avoir.* Selon Saint Bernard, il n'y avoit *rien en apparence de plus chrétien* que leurs discours, *rien de plus irreprochable que leurs mœurs.* Aussi s'appelloient-ils les *Apostoliques*, et ils se vantoient de mener la vie des Apostres.

"Voïons présentement ce que je vous ai promis; voïons, dis-je, les Catholiques Romains tenir le même langage que les Protestans qui rejettent les macérations, les vœux monastiques, les abstinences."

It would have been satisfactory to have said something on the charge of "*radicality*," or "sedition," or "liberty and equality, in the disorganizing sense," as Mr. Butler expounds it, "which," he says, "in this age are so loudly called for, and the loudness of the call increases every day," [p. 144.] This subject, however, must not be lightly treated. Mr. Butler must not be left to alarm, as he pleases, those who have a stake; and we must return to this upon another occasion. In the mean time, we content ourselves with another reference to Gilpin, who shows, vol. i, p. 69 to 72, how much ground there was, in the opinions of Wicliff, for the zeal of the clergy to defame him and his followers, and how much reason there is for us to detest their defamation.

persecution, and rebellion" — (p. 397). "Root and branch men," they are denominated *passim*. The petitions against Episcopacy are "Effusions of Sectarian rancour and vulgar ignorance"—(p. 391). "Immediately, the London pulpits, and those in the larger provincial towns, where the Puritans had obtained a footing, were *manned with preachers*" [a neat phrase], "ministers, not of peace and Christian morality, but of hatred, violence, and rebellion"—(p. 388). "Wherever a few zealots led the way, a rabble was easily collected to hear them, part, for the love of mischief or the hope of plunder, the Sectarians suffering and encouraging these outrages, for the pleasure of insulting the loyal clergy, and showing their contempt and hatred of the church"—(p. 389). "They brought in a bill for the suppression of deans and chapters. The arguments for this spoliation were such as base and malicious minds address to the ignorant and the vulgar, when they seek to carry into effect, by means of popular clamour, a purpose of foul injustice"—(p. 382). We are amused with the epithet "foul." We wonder what sort of injustice Mr. Southey would distinguish by the epithet clean. We should like to know wherein the two sorts, foul injustice, and clean injustice, in Mr. Southey's idea, differ from one another. Probably it is all clean which is perpetrated in favour of the Church; all foul that is against it. But go on. "The aim of the ruling faction was destruction, not reformation"—(p. 381). "Sir Henry Vane and Hambden had the wisdom of the serpent in perfection"—(p. 378). "Laud had long seen the cloud gathering over the Church of England" [he was blind as a mole to the last]. "He knew also his own danger, from those who were possessed with the spirit of Sectarian rancour, and from an ignorant populace rendered ferocious by all the arts of faction"—(p. 367). "These factious people"—*(passim)*. "The malignity of faction"—*(passim)*. "The zealots of faction are neither capable of shame nor of remorse"—(p. 358). Southey is not a zealot of faction; he is only a zealot of the stronger party, which is never called a faction, so long as it is the stronger. "The rancorous and deadly hatred" [towards Laud] "of the factions who were now leagued against the state"—(p. 359). A capital passage is here quoted from a sermon of Laud, preached at the opening of Charles' first parliament. "They, whoever they be, that would overturn *Sedes Ecclesiæ*, the seats of Ecclesiastical judgment, will not spare, if ever they get power, to have a pluck at the throne of David; and there is not a man that is for purity, all fellows in this church, but he is against monarchy in the state. And,

certainly, either he is but half-headed to his own principles, or he can be but half-hearted to the House of David"—*(ibid.)* The churchman who could so preach, and the historian who can so quote, are certainly fit for one another.

"They, whose determination it was to shake the throne and to subvert the altar" [the Puritans], practised, without scruple, any means whereby their danger might be promoted"—(p. 357). As a specimen of the Scottish clergy, he says, "A rabid preacher had even from the pulpit denounced against the king himself the curse which fell on Jeroboam"—(p. 315). "The turbulent nobles shared among themselves the spoils of the Church; and the fierce, uncompromising, high-minded, hard-hearted zealots, by whom the storm was raised, encouraged the populace to demolish the abbeys and cathedrals"—(p. 372). "The Puritans, like all factious minorities" [the proper name for minorities], "endeavoured, by activity, to make amends for their want of numbers"—(p. 315); a conduct peculiarly factious.

Milner accuses Southey of writing, to pay his court to the Ecclesiastical powers. "He raves, through the history of many centuries, in abusing and calumniating the common source of Christianity, in order to court the heads of the present establishment, under pretence of vindicating it," (p. 4.)—"It is worth while inquiring, whether the dignitaries, whose favour the poet courts, will echo back his applause of this forerunner [Lord Cobham] of the Anabaptists and Regicides," (p. 26.) "If the writer might advise the Poetical Historian, for the purpose of effectually vindicating and securing the Church, he courts," &c. (p. 85.)

The champion of the Church of Rome is as fond of inputing motives as the champion of the Church of England. It is our opinion, that we have little to do with motives. Actions and their tendencies, with the situations and dispositions which give them birth, are the objects of importance to the public; and what is not of importance to the public, is immaterial to us. One reflection, however, is unavoidably suggested, by the language just quoted of Mr. Southey; that such is not the style which flows naturally from the pure love of truth. If it is not assumed to answer a purpose, it follows, that the author is most unfortunate in his taste, or his disposition. If he assumes it in order thereby to pay court to the Church of England, he imputes to it a strange character. The dignitaries of "Our most excellent Church" (such is its cant name) are as wise as Mr. Southey; if they show the world that they are to be courted, by the use of abusive terms against those whom they dislike.

It is well known, that Maimbourg wrote, in addition to many other things (he, as well as Mr. Southey, was a voluminous author) a history of the Calvinists, the Non-conformists, or Puritans, as Mr. Southey would call them, of France. The celebrated Bayle, who was one of these non-conformists, and driven from his country by the atrocious persecution which they underwent, wrote a *Critique* upon this History, which is published in the general collection of his works. The terms which he employs, to sketch the character of Maimbourg's History of the Puritans in France, so exactly describe the character of the History of the Puritans, presented by Dr. Southey, in his Church of England Book, that we were exceedingly struck with the resemblance; and think it will be interesting, as well as instructive to the public, to have its attention directed to it.

" Je me figure, (says Bayle, his *Critique* is in the form of letters addressed to a friend) que vous vous mettrez en colère tout-de-bon, en lisant cette histoire du Calvinisme; car j' ai vû quantité de bons Huguenots, qui voyant l' inhumanité avec laquelle M. Maimbourg nous mal-traite, battoient des pieds, et s'emportoient à des exclamations tragiques à tout moment. Pour moi, qui suis difficile à émouvoir, je n'ai point senti la moindre tentation de colère en lisant ce livre. Je l'ai lû d'un bout à l'autre avec un sang froid qui a peu d'examples, et si je sortois quelquefois de ce sang froid, c'étoit seulement ou pour avoir pitié, ou pour rire des emportemens de M. Maimbourg, que je me représentois si acharné sur le Calvinisme dans cette chambre à cheminée, qui avec une pension considerable a été, ou la recompense, ou l'acquisition de ses services, qu'il me sembloit que pour se mettre plus en colère, il s'étoit imaginé que sa plume étoit devenue l'epée de l'Ange Exterminateur."

Mark the similarity of the accusations.

" Ils nous accusent en France d'avoir le cœur republicain. . . . . Ils nous dépeignoient comme des rébelles, qui fouloient aux pieds les ordres de Sa Majesté, qui elevoient des Synagogues de Satan sur le Patrimoine du Fils de Dieu, desquels par conséquent il falloit châtier les entreprises seditieuses. Vous ne verrez point de page dans l'Histoire du Calvinisme, où cet esprit ne soit répandu : si on en croit l'auteur, c'est être ennemi de l'état et de son roi, que de souffrir les hérétiques, et un roi qui les souffre, se rend coupable d'une negligence qui le perdra lui et son royaume.—Cette sorte d'ecrits sont fort goûtez à la Cour de France présentement; c'ést pourquoi le Père Maimbourg, dont la plume ést hypothéquée au roi par une grosse pension, n'avait garde de nous

épargner. Il savoit, avant que de commencer son histoire, qu'il nous falloit trouver coupables de mille séditions horribles. Plein de cet esprit il a feuilleté plusieurs volumes; il y a choisi certains faits qui lui ont paru favorables à ses fins; et sans se soucier beaucoup de l'ordre et de la véritable cause de ces faits, il leur a donné le commencement, le progrès, et le motif qui lui ont plu, de sorte qu' il nous a rendus tout aussi criminels qu'il l' a jugé à propos; et pour faire plus d'impression sur ses lecteurs, il s'ést chargé d'un grand nombre d'épithètes diffamatoires, et de descriptions violentes qu'il a répétées mille, et mille fois."

The following reflections of Bayle on the mode of composing a history for a particular purpose, are highly instructive. " Il n'ést rien de plus aisé, quand on a beaucoup d'esprit, et beaucoup d'expérience dans la profession d'Auteur, que de faire une Histoire Satyrique, composée des mêmes faits qui ont servi à faire un Eloge. Deux lignes supprimées, ou *pour*, ou *contre*, dans l'exposition d'un fait, sont capables de faire paroître un homme, ou fort innocent, ou fort coupable; et comme par la seule transposition de quelques mots, on peut faire d'un discours fort saint, un discours impie; de même par la seule transposition de quelques circonstances, l'on peut faire de l'action du monde la plus criminelle, l'action la plus vertueuse. L'omission d'une circonstance, la supposition d'une autre, que l'on coule adroitement en cinq ou six mots, un je ne sai quel tour que l'on donne aux choses, changent entièrement la qualité des actions.—Si cela ést vrai à l'égard des historiens primitifs et contemporains, il n'ést pas moins vrai que ceux qui longtemps après compilent une Histoire de plusieurs Recueils, la font plus ou moins avantageuse, selon qu'il leur plaît de confondre adroitement l'ordre des actions, de passer sous silence certaines choses, d'en relever d'autres. En un mot il n'y a point de *filouterie* plus grande, que celle qui se peut exercer sur les monumens historiques, quand on a autant d'esprit et de routine que Monsieur Maimbourg, si bien qu' ayant entrepris l'Histoire du Calvinisme uniquement afin de nous charger de la haine et de l'exécration publique, et de justifier, et fomenter le dessein qu'on a inspiré au roi de nous perdre, il ne faut pas s'étonner qu'il nous ait accommodez comme il a fait."

Bayle quotes the following poignant expressions of the writers of Port-Royal, relative to the attack of Maimbourg on the *Mons* translation of the New Testament. " Quelqu' extraordinaires que soient les emportemens du Père Maimbourg, contre la Nouvelle Version du Nouveau Testament, on peut

dire qu'ils n'ont rien de surprenant si l'on considère la personne dont ils partent. Que ce Père a ce malheureux avantage, qu'il ést maintenant incapable d'étonner le monde par ses excès. Qu'il n'y a rien qu'on n'ait sujet d'attendre de lui, et qu'il a tant pris de soin de se faire connoître depuis plus de 20 ans par ses déclamations scandaleuses, que tout ce qu'il fait de nouveau, ajoûte peu à l'idée que l'on a déjà de son génie et de son esprit."

The following passage relative to ceremonies, and the difference between two religions, the one abounding in ceremonies, the other void of them, affords an idea, both of Mr. Southey's complaints against the Puritans, and of the reply that is due to them. " La seconde chose que je remarque dans le narré de M. Maimbourg concernant Calvin, c'ést qu'il dit que le Calvinisme n'ést qu'un squelette de religion, n'ayant ni suc, ni onction, ni ornement, rien qui sente et qui inspire la dévotion, et qui entrant par les sens dans le fond de l'âme, l'attire et l'élève par les choses visibles au Dieu invisible, ainsi que lui-même l'ordonne: et que Calvin, qui a fabriqué une Religion toute seche, et toute conforme à son tempérament, n'ést avec tout son bel esprit que le disciple de Pierre Valdo, le plus idiot, et ignorant de tous les Hérésiarques qui ont jamais été, et lequel il a pris grand soin de copier, en formant sa nouvelle secte sur une si pauvre idée, et ne voulant aucune de ces sacrées cérémonies dont l'ancienne Eglise s'ést toujours servie, pour faire l'Office divin avec bienséance, et avec cette sainte Majesté qui imprime dans l'âme de ceux qui les regardent avec un œil un peu spirituel, les sentimens d'une dévotion tendre et respectueuse, pour honorer Dieu dans ses redoutables mystères.—Voilà, ce me semble, ce que Messieurs de Port-Royal appellent une certaine éloquence pompeuse et magnifique, *abundantem sonantibus verbis, uberibusque sententiis,* qui nous engage dans l'erreur par un faux éclat. Ce qui se peut dire de plus raisonable sur ce Chapitre, se réduit à ces deux choses, du moins selon mon petit avis, 1. Qu'il n'y a rien de plus propre à séduire l'esprit des peuples, que la majesté des cérémonies, et à leur inspirer beaucoup de zèle pour la profession extérieure de la religion: mais qu'il n'y a rien qui inspire moins de ce zèle spirituel, et véritable, que Dieu demande de ses vrais adorateurs. 2. Que puis que Calvin, qui ne pouvoit pas ignorer cela, n' a point établi l'usage de plusieurs cérémonies pompeuses, c'ést une marque qu'il agissoit de bonne foi, et qu'il ne cherchoit pas les expédiens d'attirer et d'attacher les peuples à sa secte, par quelque chose qui frappât leurs sens. S'il eût cherché sa gloire; s'il se fût fait une idée

de religion par des vues de politique; en un mot, s'il eût consulté la chair et le sang, il n'y a point de doute qu'il se fût bien éloigné de cette pauvre idée, que l'auteur appelle un *squelette*. Ce n'ést pas sous cette forme dégoûtante que l'on produit l'erreur et le vice; on les farde, et on les embellit de tous les ornemens dont on se peut aviser: mais la Vertu et la Vérité ne demandent point d'autre parure qu'elles-mêmes: leur simplicité, leur nudité, et si je l'ose ainsi dire, leur brute leur tient lieu de tout. De sorte que si on veut faire justice à Calvin, on avouera pour le moins, qu'il étoit très-persuadé qu'il enseignoit le pur Evangile, et que la beauté naturelle de cette divine Vérité se soûtiendroit par sa seule force, sans avoir besoin des artifices, que les fausses religions n'ont jamais manqué de mettre en usage."

When two parties in a state proceed to such extremities, that they take arms against one another; and each looks for the accomplishment of its object, only by shedding the blood of its opponents, they usually employ their utmost endeavours to blacken the character of one another. Every mischievous purpose, every odious quality, to which they can attach any degree of probability, either by truth or falsehood, either by stating facts, or by stating falsehoods, they impute to one another; and by holding up these causes of hatred to the public in the most persuasive light they are able, by incessantly repeating them, in every shape and attitude, they do what they can to fix an odious character upon those by whom they are, or have been opposed, and to derive to themselves the grand advantage which arises from making those who are competitors with them for the favour of mankind the object of their detestation. When one of two such contending parties is put down, and the other becomes not only triumphant, but master of all the powers of government; the vanquished party is treated with a fine set of names, and a set of actions and qualities is provided for it, finely corresponding with the names. It lies under this among other cruel disadvantages, that what is affirmed against it by the party possessing power, finds a ready belief with all the vulgar part of mankind, and the ready, and loud profession of belief from all the interested part. A thousand tongues and a thousand pens, incited either by ancient hatreds, or present hopes and desires, practise every art of defamation against it. The press teems with stories to its disadvantage, generally possessing little, often possessing no connection with the truth. That this was the case with the Puritans in a very extraordinary degree, is known to all the world. The Restoration placed all

power in the hands of Charles 2nd, and the profligate portion of the aristocracy who engrossed his favours; men who held every species of principle in derision; and who, as they had long dreaded the Puritans, now hated them with corresponding intensity, as well as the principles of political liberty which the Puritans advocated, and which the loyal aristocracy had been and now were trampling under their feet, together with the rules of Christian morality, which the Puritans observed with a peculiar strictness, and which never were treated with a more open and contemptuous disregard, than by the same loyalists, who found that kings ruled by a divine right, and that subjects were bound, by their duty to God, to suffer pillage and every sort of oppression at the hands of great and loyal men, because they were appointed to this purpose, by the king, and he was appointed by God. With the powers of government in the hands of such persons, after what they had suffered and feared through the ascendancy of the Puritans, it is not to be wondered, that the arts of blackening a character were exhausted, as in truth they were, against the vanquished and prostrate Puritans.

What Mr. Southey has done, has been, to rake into the filth, heaped in that and the preceding age upon the character of the Puritans, and to throw as much of it as he thought would now stick upon their memory. For the notion which he has been pleased to present of the Puritans, he appears to have looked only into the writings of their bitter enemies, whose stories he has given without examination or criticism; indeed we should suspect, that the faculty of historical criticism—of comparing and weighing evidence—does very little belong to him: he seems hardly to be aware, that it is of any use; and we offer this as an apology for much of the misrepresentation which he has here dealt out at second hand; though it will not apologize for the additions and embellishments which he has made purely from his own invention. His second volume now lies open before us, at a passage which so exactly exemplifies the spirit in which the book is written, and in particular the feature which we have now touched upon, that it cannot come in more opportunely. It forms part of the pathetic story he labours to make up, of the situation of Laud during his confinement in the Tower. "After a severe illness, during which he lost the use of his limbs, when, for the first time, he was able, between the help of his man and his staff, to go to the Tower Church, the Puritan who preached introduced so much personal abuse of him in the sermon, in such foul terms, and with such palpable virulence, that women and boys stood up in the

church to see how he could bear it. But he thanked God for his patience, and prayed forgiveness for his deluded persecutors." [*Book of the Church*, vol. ii. p. 420.] The expression, "a severe illness, during which he lost the use of his limbs," implies a fit of sickness of the most serious kind, which happening in a state of imprisonment, and being followed by losing the use of the limbs, a natural accompaniment of severe restraint, and the want of exercise, suggests the idea of cruel treatment by his oppressors, and intense suffering on the part of the prisoner. This is the impression which the Book-of-the-Church-maker leaves to be produced by his account of this incident; the knowledge of which he derived from Laud himself, by whom alone it is mentioned. Hear now the words of Laud; and, observing the changes Southey makes in the story, mark the purposes to which those changes are subservient.

"March 6. Sunday, after sermon, as I was walking up and down my chamber before dinner, without any slip or treading awry, the sinew of my right leg gave a great crack, and brake asunder in the same place where I had broken it before. Feb. 5. 162$\frac{7}{8}$.

"It was two months before I could go out of my chamber. On Sunday (*Maii* 15) I made shift, between my man and my staff, to go to church. There one Mr. Joslin preached, with vehemency becoming Bedlam, with treason sufficient to hang him in any other state, and with such particular abuse to me, that women and boys stood up in the church to see how I could bear it. I humbly thank God for my patience."—*Troubles and Trial of Laud*, p. 63.

Here there was no illness; no loss of limbs during a severe illness. The whole of this is pure invention, on the part of the story-teller, with the real facts staring him in the face, since he copies the very words of Laud. The expression, "with such particular abuse to me," Southey enlarges into the phrases, "with such personal abuse of him, in such foul" [a favourite epithet of Southey's] "terms, and with such palpable virulence." Quære, does Southey understand the meaning of the word *palpable?* Palpable virulence! he might as well have called it olfactable virulence. Virulence can be as easily smelt as touched. This "abuse," imputed to the preacher, we know of, only from the words of Laud himself. Laud was sensitive upon these points, and not easily pleased even with praise. There may, after all, have been very little in what he might call and think particular abuse. The circumstance he adduces to prove the particularity, by which we are willing to understand intensity, of the abuse, is somewhat ludicrous. It called the attention

of nobody but the women and the boys. Some of them, of the women and boys, perhaps two or three, had a curiosity to see how Laud would look when he heard a censure. But what that curiosity proceeded from, whether from an idea of the grossness of the censure, or the well-known waspishness of the person censured (though Laud interprets the circumstance all in his own favour) does not appear.

The warmth of the preacher appears to have been the thing which chiefly annoyed the prelate. He preached with a "vehemency becoming Bedlam." We should like to know, if it approached to the vehemency of Mr. Irving, which our greatest orators and statesmen have gone to admire. The meekness which Laud had attained under his sufferings is manifested, by his declaring, that the sentiments of liberty, mixed, no doubt, with censure of the king, which the preacher expressed, deserved no less a punishment than death; which, if he had possessed the power, he would no doubt have inflicted upon the *Puritan.* This is the man whose own death is bewailed.

"I humbly thank God for my patience;" Shakspeare puts into the mouth of the canting Richard—

> I do not know that Englishman alive
> With whom my soul is any jot at odds,
> More than the infant that is born to-night:
> I thank my God for my humility.

Not content with his thanking God for his patience, our author makes him pray forgiveness for his enemies; which last circumstance is purely of his own invention. And this is the way in which Maimbourg Southey *makes* history.

A propos of making history, John Merlin has the following passage:—

'Mr. Southey, it has been stated, is a poet; that is, as the original Greek word signifies, a *maker* or *inventor.* Hence we are not to be surprised if he makes use of his poetical licence or faculty in writing history, rather than weary himself in hunting out, and bringing forward, dusty records for the many extraordinary things he records and tells. It is true, he says, he "*can refer to authorities for them among his collections, but that he does not give those, because the scale of his work is not one which would require or justify a display of research.* But it may be truly said of the case in question: *De non apparentibus et de non existentibus eadem est ratio.*'—"*Strictures on the Poet Laureate's Book of the Church.*" By John Merlin, p. 4.

The total want of reference to authorities in Southey's book is a damnatory circumstance. No history not resting on the testimony of its own author to facts of his own witnessing, is worth any thing without such reference. Facts without authentica-

tion are not to be regarded as historical facts. A portion of them, formed into a story, should be called a romance, not a history. The excuse made by Southey for not referring to his authorities, is a specimen of the man. He insinuates that he had no room for them; as if the name of an author at the bottom of a page required much room; or as if the most important of all things was that which could best be spared. But the most curious point for observation is, the idea which Southey entertains of the end for which reference to authorities is made, "a display of research." This is the only use which he knows of it; at least, which he chuses to recognize. The story-teller for the Church has correct ideas of the business of an historian.

It is well known, that an execution is a great thing for vulgar minds. A man's life and conduct may have been base and mischievous in the highest degree; he may have been constantly engaged in schemes of the worst description; he may have habitually disregarded the ties of truth, humanity, and justice, in the means he employed for the accomplishment of them; yet, if he is brought to punishment at last; above all, if the forfeit of his life is exacted, and he behaves with tolerable decency and propriety at his exit, the sympathies of the common herd are so much excited, that the merit of dying well throws a veil over the whole demerit of living ill, a character is attached to the man which he by no means deserves, and a morality of the most pernicious tendency is propagated. Maimbourg Southey has exerted himself to the utmost to derive advantage from this source. The dying scenes of Cranmer, and Charles, and Wentworth, and Laud, have been mines to him. Writing, as he was, for old women and children, he had reason to think they would be worth, to him, all the pains he has bestowed on them.

We might have thought we had lived to an era, in the progress of the human mind, when the life and deeds of Laud would no longer be held up for admiration; and when we should not witness a revival of his memory for purposes of mischief. But the Church of England is an intellectual curiosity. She swears that she will stand still; and has, therefore, a cause of enmity with all those who advance. But she has not sworn to retrograde. It does, however, appear impossible in the intellectual world to stand still. There may be effectual reasons which prevent such or such a party from going forward. But then it seems almost necessary for it to go back. The time certainly was, when the leading men of the Church of England gave up Laud; and not only thought that he was the grand cause of the ruin of the Church when he lived, but that his memory did no credit to it when he was dead. Bishop

Warburton, for example, in his spiteful notes upon Neal's History of the Puritans, has not one word of eulogy for Laud, but some of the severest condemnation. Thus, on the passage of Laud's Diary, where he says, on the occasion of making bishop Juxon lord high treasurer of England, "Now, if the church will not hold up themselves, under God, I can do no more;" Warburton contemptuously remarks, "Had he been content to do nothing, the Church had stood. Suppose him to have been an honest man, and sincere, which, I think, must be granted, it will follow, that he knew nothing of the constitution, either of civil or religious society; and was as poor a churchman as he was a politician." This is giving up his *head* with a vengeance: now for his heart. Mr. Neal, after recording the atrocious proceedings against Prynne, Burton, and Bastwick, and using the language of just indignation, on which Warburton makes no remark, comes to the prosecution of Dr. Williams, bishop of Lincoln, and of Mr. Osbaldeston, chief master of Westminster-school; whereon bishop Warburton makes the following reflection. "This prosecution must needs give every one a very bad idea of Laud's *heart* and temper. You might resolve his high acts of power, in the state, into reverence and gratitude to his master; his tyranny in the church, to his zeal for, and love of, what he called religion; but the outrageous prosecution of these two men can be resolved into nothing but envy and revenge; and actions like these they were, which occasioned all that bitter, but indeed just, exclamation against the bishops, in the speeches of lord Falkland, and lord Digby." These strokes, though few, are decisive; and depict a very poor, but very mischievous creature; the real character of the man whom Southey, and the Church at his heels, are for holding up as the grand ornament of the Church of England; whose character, and the character of the Church, they would have us believe, bear a perfect resemblance to one another. Whether the resemblance be real, or only imaginary, to assume it, and boast of it, is, at any rate, a curiosity, as a matter of taste, and of prudence.

Of all the crimes which it is possible for a human being to commit against his fellow creatures, that of corrupting the springs of government is beyond all comparison the worst. Other crimes strike at the well-being of one, or at most, of a few individuals. This strikes at the well-being of all the myriads, of whom the great body of the community is composed, from generation to generation. As no human being ever exerted himself more strenuously, or with more persevering purpose to corrupt the principles of government in any country, than did Laud to corrupt to the heart the principles of government in

England, to strip the people of every security for the righteous administration of their affairs, by consequence to establish a perfectly infallible security for the mischievous administration of them, to place his countrymen in the condition of slaves, living only for the benefit of a master, a master, who both would desire to cultivate in them only the qualities which fit them the best for being slaves, the qualities of the spaniel, on the one hand, and the serpent on the other, and would have the power of preventing them from cultivating in themselves any other, of placing them, accordingly, in a condition resembling that of the worst of brutes—on the other hand, as of all the acts of virtue of which a human being is capable, that of ameliorating the institutions of government, of providing the community with more perfect securities for the right administration of their affairs, when all the facilities and all the motives for acquiring the highest intellectual and moral endowments and elevating their condition as men and as citizens to the highest possible degree, are enjoyed in the greatest perfection, is undeniably the highest, and every exertion and every sacrifice which is made by an individual for this noblest of all earthly purposes, acquires incomparable value, and entitles the maker to a correspondent share of moral and intellectual approbation, love, and esteem—as it is, moreover, an undoubted fact, that of all the men who, during his time, showed any portion of this virtue, Laud was the bitter and remorseless enemy, and with intensity proportional to the degree in which the virtue was displayed, as there was no punishment which he was not eager to inflict upon it, as he uniformly branded it with the names of the greatest vices, and endeavoured by all the arts by which characters are blackened to make the men who distinguished themselves by acts of this virtue be regarded as the greatest criminals and the most hateful of mankind; as there was no suffering and no ignominy to which he was not eager to expose them, acting uniformly as if he wished to extinguish in their blood every spark of the virtue by which they were distinguished—if all this, and more than this, be true, to the letter, then, of all the criminals on record, in the annals of the human species, Laud is one of the greatest. Add to this, that he was not less remarkable for all the low and base qualities of the mind. He began by being a spy and informer at Oxford; he acted as pandar to the adulterous lewdness of his first patron, Devonshire; he afterwards became the abject creature, in every respect, of the worthless and infamous Buckingham; he was indefatigable in the vile arts of undermining all who stood in the way of his advancement; of which, the downfall of the

archbishops Williams and Abbot, the former of whom had been his friend and patron, are memorable examples.* "Placed" (says Mr. Brodie, Hist. of Brit. Emp. v. ii. p. 247) "at the head of the ecclesiastical and civil government, Laud betrayed all the presumptuous insolence of a little mind intoxicated with undeserved prosperity. He assumed the state of a prince, and by the ridiculous haughtiness of his manners, disgusted men of high rank and influence in society, who were attached to his measures. See a curious instance of this in Clarendon's Life, by himself, vol. i. p. 32." As a specimen of the low arts which he practised for the destruction of his victims, we shall quote another passage from Brodie, relative to the prosecution of Prynne, for his celebrated book against Stage-players.

"The work, entitled Histrio-mastix, was the labour of many years, and swelled out into a thousand quarto pages: It consisted chiefly of the opinions of the fathers, a species of authority, one would suppose, not calculated to allure the generality of readers, but particularly offensive to Laud, who affected veneration for them, and to make them the rule of his conduct. The style and bulk of the work were calculated to

* The following passage from the Narrative of Archbishop Abbot is conclusive evidence to the character and habits of Laud:—

"This man (he was then bishop of St. David's) is the only inward counsellor with Buckingham; sitting with him sometimes privately whole hours, and feeding his humour with malice and spight.

"His life in Oxford was, to pick quarrels in the lectures of the public readers, and to advertize them to the then bishop of Durham, that he might fill the ears of James with discontents against the honest men that took pains in their places, and settled the truth (which he called Puritanism) in their auditors.

"He made it his work to see what books were in the press, and to look over epistles dedicatory, and prefaces to the reader, to see what faults might be found.

"It was an observation, what a sweet man this was like to be, that the first observable act he did, was the marrying of the earl of D. to the lady R., when it was notorious to the world that she had another husband, and the same a nobleman, who had divers children then living by her. King James did for many years like this so ill, that he would never hear of any great preferment of him, insomuch that the bishop of Lincoln, Dr. Williams, who taketh upon him to be the first promoter of him, hath many times said, that he, when he made mention of Laud to the king, his majesty was so averse from it, that he was constrained oftentimes to say, that he would never desire to serve that master, which could not remit one fault unto his servant. Well; in the end, he did conquer it to get him to the bishopric of St. David's; which he had not long enjoyed, but he began to undermine his benefactor, as at this day it appeareth. The countess of Buckingham told Lincoln, that St. David's was the man that undermined him with her son; and verily such is his aspiring nature, that he will underwork any man in the world, so that he may gain by it."

deter people from the perusal; but the name of the author at once roused Laud and his abettors, and Heylin was employed to hunt out objectionable passages. The manner in which he performed his duty is best explained in his own words. He makes 'notes, *and deducts out of them such logical inferences and conclusions as might and did naturally arise in those dangerous premises:* One copy of the same to be left for the lords of the council, and another with Noy the attorney-general, and the rest of his majesty's council learned in the laws of this realm, which paper gave such satisfaction to the one, and help to the other, that when the cause was brought to a hearing in the Star-Chamber, *they repeated his instructions only,* as Prynne himself informed against him to the House of Commons.'* By such a course, charges of the following tenor were brought against the author: that players were rogues by statute (which, by the way, was correct); that none were gainers, or honoured by stage-plays, but the devil and hell; and that when players and their abettors have taken their wills of lust here, their souls go to eternal torment hereafter; that so many as are in stage-plays, are unclean spirits, and play-hunters incarnate devils; and that the chief cause of Nero's destruction was his frequenting them: Of dancing, he was alleged to have said, that it is the devil's profession, and so many steps in a dance so many paces to hell. Such were the articles charged. But the offensive part was an exposure of certain innovations in the church, which, though the attorney-general dwelt upon Prynne's alleged language, as he acted without a mission, &c. it was not thought convenient to bring into question. Had such been Prynne's own language and ideas, people of different minds might have properly repaid his abuse of their amusements with contempt and scorn; but there was neither a principle of law, justice, nor common sense, on which he should have been condemned as a criminal. He affirmed afterwards, however, when he had no cause to resort to subterfuges, that the charges were not at all warranted by the text of his book; indeed false charges were the natural consequence of the course pursued: and any one may satisfy himself, that the offensive expressions

* "The following is an account of the reception Prynne's works met with. 'Hi Books,' says one of Wentworth's correspondents to him, 'are so valu by the Puritanical party, that a sister lately dying in London, bequeathed a legacy to buy books for Sion-college in London, and in her will desired that Mr. Prynne's works, in the first place, might be bought for that use.'—[*Straf.* Let. and Disp. vol. i, p. 217.] There is undoubtedly immense research in all his books, and, occasionally, most important information."

are not his own, but borrowed from the fathers, to whose works he invariably refers.

"Lest the humanity of Charles should interpose to save this victim of ecclesiastical vengeance, an artifice was adopted to inflame both him and his consort. Six weeks after the publication, her majesty acted a part in a pastoral at Somerset-House, and Laud and his friends shewed her and the king a passage—women actors, notorious whores (few women appeared on the stage in those times, the characters of females being generally personated by men in women's clothes), and assured them that it was a libel upon her, though, as has just been said, the work had been published six weeks prior to her exhibition."*—*Brodie*, vol. ii. p. 324.

The following instance will convey an idea of Laud's disposition to flattery. For the christening of the young prince, Charles (2nd), Laud composed a prayer, which was recommended to all the parish churches. In this prayer was the following clause, "Double his father's graces, O Lord, upon him, *if it be possible.*" Archbishop Williams calls this "three-piled flattery, and loathsome divinity," and says he would not have joined in this prayer.†—*Brodie, ib.* p. 358.

Premising these short notices, to enable our readers to form some notion of the real character and actions of Laud, we recommend it to them to read the singular mixture of canting and foul language which our historian pours forth upon occasion of the execution of this worthless man. Of this remarkable specimen of the literature of the age, we can afford to present only the concluding passage:

'Great multitudes attended this victim of sectarian persecution to the grave; the greater part attracted by curiosity, but many by love and veneration; and not a few, it is believed, by remorse of conscience, for having joined in the wicked and brutish clamour with which he had been hunted down. A baser triumph never was obtained by faction, nor was any triumph ever more basely celebrated. Even after this murder had been committed with all the mockery of law, his memory was assailed in libels of blacker virulence (if that be possible), than those by which the deluded populace had been instigated to cry out for his blood; and to this day, those who have inherited the opinions of the Puritans, repeat with unabashed effrontery the imputations against him, as if they had succeeded to their implacable temper,‡ and their hardihood of slander also. More grateful is it to observe how little is in the power

* "Heylin's Life of Laud, p. 8."

† "Whitelocke, p. 18."

‡ For proof of this, the reader is referred to the *Quarterly Review*, vol. x. pp. 99—101.

of malice, even when in the dispensations of Providence it is permitted to do its worst. The enemies of Laud cut off from him, at the utmost, a few short years of infirmity and pain; and this was all they could do! They removed him from the sight of calamities, which would have been to him tenfold more grievous than death; and they afforded him an opportunity of displaying at his trial and on the scaffold, as in a public theatre, a presence of mind, a strength of intellect, a calm and composed temper, an heroic and saintly magnanimity, which he never could have been known to possess, if he had not thus been put to the proof. Had they contented themselves with stripping him of his rank and fortune, and letting him go to the grave a poor and broken-hearted old man, their calumnies might then have proved so effectual, that he would have been more noted now for his infirmities, than for his great and eminent virtues. But they tried him in the burning fiery furnace of affliction, and then his sterling worth was assayed and proved. And the martyrdom of Cranmer is not more inexpiably disgraceful to the Roman Catholic, than that of Laud to the Puritan persecutors.

'He was buried according to the rites and ceremonies of the Church of England; a circumstance which afforded a deep, but mournful, consolation to those who revered and loved him. It seemed to them as if the venerable establishment itself over which he had presided, and for defending which he had died a martyr, were buried with him: for on the same day that six infamous peers past the ordinance of attainder against him, they passed an act also, by which the Liturgy was suppressed, and a Directory for public worship set forth in its stead.'

To form a just estimate of this lachrymation, it is useful to remember the pitiful and unmanly vengeance which was exercised at the time of the Restoration, when Southey's Venerable Establishment came again into power, and into play; and, to think who they are who have an ever-ready approbation to bestow upon the actors in those noble and elevating scenes, when the bodies of Cromwell, Bradshaw, and Ireton, were taken out of their graves, and drawn upon hurdles to Tyburn, where they were hung up from ten in the morning till sun-set of the next day, after which their heads were cut off that they might be stuck up in public places, and their trunks buried all together in one hole under the gallows; when an act was passed for the "attainder of several persons guilty of the horrid murder of his late sacred majesty king Charles 1st., and for the perpetual observation of the 30th of January;" when ten persons were executed after trials which would disgrace the administration of justice in Turkey; "and when," says Burnett, "the firmness and shew of piety of the sufferers, who went out of the world with a sort of triumph in the cause for which they suffered, turned the minds of the populace, *insomuch that the king was advised to proceed no further.*" How far he and his advisers would have proceeded had they continued to think it safe, we leave their characters to speak for them.

We recommend it earnestly to our readers, to peruse, as one of the most important of all the documents of English history, the Trials of these men, in the late collection of "State Trials," by Mr. Howell. We cannot forbear quoting, after Mr. Brodie, the following short passage from the trial of Colonel Harrison:—

"*Harrison.* Notwithstanding the judgment of so many learned ones, that the kings of England are no ways accountable to the Parliament, the Lords, and Commons, in the beginning of this war, having declared the king's beginning war upon them, the God of gods—

"*Court.* Do you render yourself so desperate, that you care not what language you let fall? It must not be suffered.

"*Harrison.* I would not willingly speak to offend any man; but I know God is no respecter of persons. His setting up his standard against the people———

"*Court.* Truly, Mr. Harrison, this must not be suffered: this doth not belong to you.

"*Harrison.* Under favour, this doth belong to me. I would have abhorred to have brought him to account, had not the blood of Englishmen that had been shed———

"*Counsel.* Methinks he should be sent to Bedlam, till he comes to the gallows, to render an account of this. This must not be suffered. It is, in a manner, a new impeachment of *this* king, to justify their treasons against his late majesty.

"*Solicitor-General.* My Lords, I pray that the jury may go together on the evidence.

"*Sir Edward Turner.* My Lords, that man hath the plague all over him; it is a pity any should stand near him, for he will infect them. Let us say to him, as they used to write over an house infected, 'the Lord have mercy upon him;' and so let the officers take him away.

"*Lord Chief Baron.* Mr. Harrison, we are ready to hear you again; but to hear such stuff it cannot be suffered. You have spoken that which is as high a degree of blasphemy, next to that against God, as I have heard!

"The plea of Harrison was, that he acted by the supreme authority, the parliament; and that no inferior jurisdiction could take cognizance of the act. He in vain asked for liberty to have counsel to urge that plea. The hangman, in an ugly dress, with a halter in his hand, was purposely placed before him during what they were pleased to denominate a trial.—*Howell's State Trials*, p. 1024-31. *Ludlow*, vol. iii. p. 62.

"Besides this, he was, after three months close confinement, every friend denied access to him, and the indictment never

shown, apprized at nine o'clock in the evening of the 9th of October, that he was to be put to the bar next morning, and he was finally disposed of by the court on the 11th.—*Ib.*

"As Love, the sheriff of London, at the Restoration, would not pack the juries, the trials were delayed till new sheriffs were appointed."—*Ludlow*, vol. iii. p. 59.

The four names in English history, which the Church, as a corporation of priests, have been most assiduous in their endeavours to hold up to admiration, are Charles 1st, Wentworth, Laud, and Clarendon. Those who have read the article on the History by Mr. Brodie, in our preceding number, will not require any assistance from us, on the present occasion, towards forming a proper estimate of Charles and Wentworth. We trust, that what we have now adduced in correction of the misrepresentations attempted in favour of Laud, by the maker of the Church Book, will prevent all danger of mistake in regard to him. We must, in order not to neglect any of these worthies, add a few particulars in regard to Clarendon, whom Mr. Southey declares to be "the wisest, because the most upright, of all statesmen"—[ii. 484]. The invaluable detections of this man, as an historian, and exposures of him, as a man, for which we are indebted to Mr. Brodie, render this part of our task an easy one.

We shall not accuse Clarendon of a strong leaning to one party, and against another. This, especially when a man has been deeply and personally engaged, it requires a high character indeed to avoid; and we blame no man for not rising above, we only blame him for falling below, the ordinary standard of men.

Few crimes can come up to those of the man, who, pretending to write history, sets himself studiously and of purpose, to pervert the materials of history, to suppress and mis-interpret evidence, to assert facts without any evidence at all, nay, in the very teeth of evidence. All these crimes, in numerous instances of the greatest importance, Brodie proves upon Clarendon. Thus, in order to apologize for the atrocious usage of Prynne on the occasion of his prosecution for the book entitled Histrio-mastix, Clarendon asserts that he aggravated his punishment by petulance and obstinacy in court. The fact is, that he did not open his lips in court, but committed his defence entirely to his counsel. On the king's visit to the city, after his abortive attempt to seize the five members, "Clarendon," says Brodie, "has the effrontery to say, that one Walker cried with a very loud voice, *To your tents O Israel!*" though there is a state paper drawn by Clarendon himself, which shows that the man only threw into the coach a paper which had these words written upon it.

The following are the words of Brodie, on the occasion of the petitions to parliament against Episcopacy:

"The Journals of the Commons show, that petitions were presented from most of the principal counties and towns in England; and Mr. Hume's account of the petitions is unworthy of him. The petition from the apprentices had been presented before the impeachment of the members, and one to the same purpose was presented to the throne, as well as another to the lords. The apprentices were, as we have formerly remarked, a powerful body. The one from the porters, whose number is said to amount to 15,000, and who are made to add, that "if such remedies" (as they had named) "were any longer suspended, they should be forced to extremities not fit to be named, and make good the saying, 'that necessity has no law,' is no where to be found or alluded to, so far as I recollect, except in Clarendon's History; and I have no hesitation in pronouncing it a forgery by that author, to disgrace the petitions which so galled him and his party. The Journals of the Commons give an account of every petition; and I have gone over them with the utmost care, in order to ascertain whether such a petition ever was presented, and yet cannot discover a trace of it. The dexterity of Clarendon, as a forger of such things, is triumphantly told us by himself. Told *us*—nay, the work in which he discloses this important fact was intended for his children; yet he gives a long character of himself, wherein he takes great credit for his candour."

Brodie points out instances in which that which Clarendon records in his Life is at direct variance with what is related in his History; and in which the wilful mendacity of Clarendon is beyond dispute. That he was in the habit of committing forgery for purposes of deception is proved by incontestable evidence, indeed by his own testimony. And Mr. Brodie remarks with truth, that "the principle on which Clarendon wrote was inconsistent with a regard to truth. *I first undertook,*" says he, "*this difficult work with his majesty's approbation, and by his encouragement, and for his vindication.*"

Clarendon was not honest even in the drawing of characters, for which he has been so much bepraised. Brodie, having mentioned the account propagated by the royalists, that Pym died being on account of his iniquities eaten up of lice (by-the-by Jortin says, either simply or sarcastically, that it is wonderful how many of the persecutors of the early Christians perished in this dreadful way, eaten up either of lice or of worms, and produces a long list of whom that story was propagated),—says,

"The malice of Clarendon makes him repeat the silly tale

(which he probably assisted to invent) regarding the cause of Pym's death, and endeavour to destroy his character for integrity by a story which, like the other, only reflects against himself; that one of the witnesses against Strafford, 'an Irishman of very mean and low condition, afterwards acknowledged, that being brought to him as an evidence of one part of the charge against the lord-lieutenant, in a particular of which a person of so vile quality would not be reasonably thought a competent informer, Mr. Pym gave him money to buy a satin suit and cloak, in which equipage he appeared at the trial, and gave his evidence.' Now surely, if this person of vile quality was not worthy of credit, upon his oath against Strafforde, he should not, on his bare word, have been believed against Pym, when the Restoration (for that undoubtedly was the 'afterwards') had put all power in the hands of Clarendon's own party. But who was this witness? What did he swear to? To whom did he make this important disclosure? Clarendon is prudently silent as to all this. The same writer denies the great natural talents of Pym, and alleges that they were not much adorned with art; but he admits his capacity for business, and allows that 'he had a very comely and grave way of expressing himself, with great volubility of words, natural and proper.' But see what Baillie says of his powerful eloquence, in his Journal of Strafforde's Trial."—*Brodie*, vol. iii. p. 461.

One of the most disgusting scenes of cant and hypocrisy ever acted, and that not of the religious but moral kind, we have recorded of Clarendon by his own pen. Speaking as if the knowledge of the secret intercourse between his daughter and the duke of York (James 2nd) had come upon him by surprise, when she was pregnant, he says, that he "broke out into a very immoderate passion against her wickedness; and said, with all imaginable earnestness, that as soon as he came home he would turn her out of his house as a strumpet, to shift for herself, and would never see her again." When he heard that she was married, the case was ten times worse. "He fell" (as he himself expresses it,) "into new commotions, and said, if that were true, he was well prepared to advise what was to be done; that he had much rather his daughter should be the duke's whore than his wife; in the former case nobody could blame him for the resolution he had taken, for he was not obliged to keep a whore for the greatest prince alive. But if there were any reason to suspect the other, he was ready to give a positive judgment, that the king should immediately cause the woman to be sent to the Tower, and to be cast into a dungeon, under so strict a guard, that no person living should

be permitted to come to her; and then, that an act of parliament should be immediately passed for the cutting off her head, to which he would not only give his consent, but would very willingly be the first man that should propose it." Something of this sort was strongly enough suggested by the situation in which Clarendon was placed: but who, besides a practised hypocrite, would have acted the part in such perfection? Or who could have acted the abject creature, so pleasing to kings, in a purer style than he did, a short time after, when the king was prepared to sacrifice him to the public indignation, which he had richly deserved? "I am so broken under the daily insupportable instances of your majesty's terrible displeasure, that I know not what to do, hardly what to wish . . . . . God knows I am innocent as I ought to be. But alas! your majesty's declared anger and indignation deprives me of the comfort and support even of my own innocence, and exposes me to the rage and fury of those who have some excuse for being my enemies; whom I have sometimes displeased, when (and only then), your majesty believed them not to be your friends. I should die in peace (and truly I do heartily wish that God Almighty would free you from further trouble by taking me to himself) if I could know or guess at the ground of your displeasure . . . . . As I have hope in heaven, I have never willingly offended your majesty in my life, and do, upon my knees, beg your pardon for any over bold or saucy expression I have ever used to you; which, being a natural disease in old servants who have received too much countenance . . . . . I hope your majesty believes that the sharp chastisement I have received from the best natured and most bountiful master in the world, and whose kindness alone made my condition these many years supportable, has both enough mortified me as to this world, and that I have not the presumption, or the madness to imagine, or desire, ever to be admitted to any employment or trust again." The conclusion is worthy of the rest. He prays the king that he may be allowed "to spend the small remainder of his life in some parts beyond the seas, never to return, where he may pray for the king, and never suffer the least diminution in his duty or obedience."

Habitual want of veracity is not the worst of the charges which Mr. Brodie establishes against Clarendon; he proves him to have been an approver, and not an approver only, but a suborner, of assassination.

"Colonel Rainsborough, whose father had been an eminent naval commander, and who was himself bred to that line, having been appointed vice-admiral of the fleet, was set on shore

by the mutinous sailors; and many of the ships revolted from the parliament, but several of them were afterwards brought back by the earl of Warwick; and the vigorous measures of the parliament soon made up the deficiency of those which were not recovered. It is strange, that no sooner had the cavaliers obtained these ships, which the Prince of Wales and Rupert entered, than they broke out into the most ruinous contentions for superiority.* The known principles of Rainsborough excited such a rancorous spirit of revenge in the cavaliers, that though defeated in one dastardly attempt at his assassination, they soon afterwards succeeded in another, no less cowardly and unprincipled. Mrs. Macauley remarks, that Clarendon, to his eternal infamy, applauds every circumstance of the foul unmanly deed."—*Brodie,* vol. iv, p. 137.

On the abolition of the republican government, and the establishment of the protectorship, Mr. Brodie says,

"The royalists exulted on the change; but when they perceived that the protector established his government, and that the people still adhered to their principles, of either not restoring monarchy at all, or of doing it under conditions which excluded the malignants, they, conceiving now that Cromwell, at the head of his army, was the grand obstacle to their recovering power, devised plots against his life, while the exiled king, under the direction of Hyde and Nicholas, published a declaration inviting the people to assassinate him, and offering a reward for the atrocious deed.† Let us, however, hear the language of a prelate on this subject: 'But wherefore do we quarrel with the remissness of princes abroad, since there is not among ourselves that hath the courage of a gallant man to meet with Cromwell, who jets up and down, and strike him to the heart? But it is our shame that every one wisheth that done by another's hand which he dare not, for fear, do himself.'" ‡—*Brodie,* vol. iv. p. 372.

It is a fact, that the Edinburgh Review, after displaying at great length the merits of Brodie's history, which exhibits irresistible evidence of Clarendon's being one of the most dishonest

* "Clar. vol. v. p. 136, *et seq.* Rush. vol. vii. p. 943, 944, 952, 1131. Whitelocke, p. 308. Cob. Parl. Hist. vol. iii. p. 896."

† "Clar. vol. vi. p. 572. Of the temper of Charles's court, some idea may be formed from the correspondence between Nicholas and Ormonde: "But I must tell your lordship," says the first, 6th April, 1651, "the harangues in council, and discourses in the court at Breda, were, that honour and conscience were but bugbears; and that the king ought to govern himself rather by the rules of prudence and necessity." Carte's Let. vol. i. p. 435."

‡ "Hackett, in Life of Williams, part ii. p. 225."

and unprincipled of mankind, has, in its last Number, only a few months having intervened, expressed itself in the following terms :—" Lest it should be thought that such persons as M. de Chateaubriand and his fellows, are not of sufficient account, either for talents or respectability, to evince the debasing influence of the tenets in question, we shall add an example from our own country, and in the person of a very celebrated man—no less able, learned, and honest a one, than Lord Clarendon. His talents and accomplishments were undoubtedly of a high order; his integrity is allowed now to have been incorruptible." As to his honesty, we have had the evidence before us. Learning we do not remember before to have ever heard ascribed to him. His reputation for ability rests, and rests solely, upon his writing a tolerable English style, in which however Mrs. Hutchinson far excels him. The grand purposes of his life were those of a besotted, or intentional, enemy of mankind; to fix a despotical government upon the necks of his countrymen; and to give vast wealth and power to a corporation of dependent priests, to enable them to act the janisaries of that government. To accomplish this laudable object, too, he was not very scrupulous about means. For he gave Charles 1st advice, the following of which he saw would lead to his ruin, partly for a purely selfish purpose, partly in order that Charles 2nd, upon the fall of his father might hold the powers of government without limit, and be a simple despot. The fact is related by Brodie, in the following terms :—

" During his (the king's) stay at Newcastle, all the entreaties of the queen and his lay advisers, to yield to the Presbyterian establishment, had utterly failed, and nothing could move him to accede to the less rigorous propositions of the army; but he had now become surrounded with advisers who approved of his resolution. These were ecclesiastics (Sheldon, Hammond, and others), who, having lost their livings, were hostile to any arrangement that should for ever exclude them from power. Lord Clarendon, too, encouraged him by letters, to the same course. Exempted himself from pardon by all the propositions, he founded all his hopes of being restored to his country, and rewarded by the crown, on a steady refusal of accommodation—which, however fatal it might prove to his present master, would, he flattered himself, ultimately be triumphant in the person of the prince. It therefore appears, by his private correspondence, that he deemed it better that the king should fall a victim to his principles than yield to his enemies. In the clash of parties he expected that the successor would be recalled unshackled; but thought that if what he

supposed the best jewels of the crown were once renounced, they might never be recovered."*

Charles's violation of the treaty of Breda was as gross an instance of the want of faith, as the annals of human villany record. It is no slight matter, that a professed and accredited champion of the Church of England obtrudes at this day a vindication of that foul deed. "Permit me," says Mr. Butler to Dr. Southey, "to mention, that I have read with surprise this defence." Clarendon, the Churchman's Clarendon, was the principal adviser of that precious act. Mr. Laing, the historian of Scotland, says, "In the settlement of an ecclesiastical government (for Scotland), Charles was peculiarly embarrassed by the treaty of Breda. When invited to Scotland, on his father's death, he had sworn and subscribed the covenant, and confirmed the Presbyterian church, as the conditions of his accession: And, although the nation was unable to preserve him on the throne, the oaths, which were renewed at his coronation, remained unrepealed. If it was difficult to observe, it was dishonourable to violate, the conditions, formerly accepted, when there was no choice unless to relinquish the crown. But, if the word of a prince is to be reputed sacred, no violence nor state necessity could afford a pretext to dispense with his oaths. However disgusted with the presbyterians during his residence in Scotland, the king himself was indifferent to religion. But Clarendon, whose mind was contracted and soured by religious bigotry, was irreconcileable to the very existence of their church. That upright and able, but not enlightened statesman, had already prepared the most intolerant measures for the revival of the hierarchy, which he urged the king to restore in Scotland, by a violation of those solemn engagements which his own conscience would never have infringed."

"Upright and able!" these are two epithets borrowed, as Mr. Brodie shows to have been the habit of poor Laing, with servile credulity from Hume, and are not only worth nothing, but actually form part of a sentence ascribing to Clarendon an act, combining to such a degree the essence of knavery and folly, that no man who had either understanding or honesty, could have done any thing but spurn it.

"Contracted and soured by religious bigotry." Mark what it is which is here by the historian pointed out as malignant religious bigotry. Church-of-Englandism! and that, if we are to believe Church-of-Englandists, in its most perfect form! This is the spirit which lives and breathes, nay, which sometimes

* Clar. Papers, vol. ii. p. 341, *et seq.* particularly p. 411.

speaks and roars, in our Southeys, our Quarterly Reviews, our Oxfords and Cambridges, and in Reverends, and Right Reverends, without number!

The atrocities with which this "religious bigotry" followed up its primary act—atrocities with which, above all men, Clarendon is chargeable—were at least never exceeded. In commencing and carrying them on, during all the early part of Charles's reign, the principal instrument was Middleton, the creature of Clarendon. "The intolerant bigotry of Clarendon," says Laing, "the corrupt ambition of some statesmen, and the servile pliancy and adulation of others, betrayed the king into the most pernicious measures of the two preceding reigns."—Laing goes still farther, for he says that the act of Uniformity in England, and the ejection of the clergy, in Scotland, "fix on the memory of Clarendon an indelible stain of duplicity and persecution." In summing up the account of Charles, these atrocities are thus characterized by Laing:—"Neither in the social, though licentious pleasures of his court, nor in the government of England, disquieted, and therefore controlled by the most opposite factions, did Charles resemble the solitary and suspicious tyrant of Capreæ; but the various and enormous oppressions of his reign in Scotland, may be compared with the tyranny of the worst Cæsars. The only difference is, that instead of cruelties inflicted chiefly on the first ranks of the nobility, whom Tiberius extinguished, a more diffusive, and to the people a more insupportable tyranny, extended over the community at large."

On this subject our doctor has to sustain the cruel, but well-merited taunts of Mr. Butler.

'Why were you silent on the cruelties exercised by the protestant episcopalians on the Scottish presbyterians, throughout the reign of Charles 2nd, notwithstanding his solemn promise of toleration at Breda? Can you read without horror Mr. Laing's account of them? Or can you read without compunction the sufferings of the English Protestant non-conformists in the same reign? In the preface to Delaune's "Plea for Non-conformists," it is said that 8,000 of them perished in this persecution. Perhaps, when you read Mr. Laing's account * of "the treachery, and almost unexampled perjuries of the first ministers of the church and state of Scotland"—and of "the absolute and undistinguished massacre *voted* by the privy-council," and of the warrant for it signed by the king." and of "the execution of it—not inferior to the spirit by which it was dictated," —you may think that the Catholic massacre on St. Bartholomew's day has been equalled by more than one Protestant enormity.

* 'Laing, vol. ii. p. 83. 151.—And through the whole of book vii. & viii. of his history.'

'I beg leave to ask you, whether you think it consistent with historic impartiality, to keep out of sight, the outrages committed by Protestants, while you bring forward, in the most glowing language, those committed by the Roman-catholics? Read Dr. Milner's "fourth letter to Dr. Sturges," his forty-ninth letter in his "End of Controversy," his "twenty-second letter to Mr. Grier," and the excellent letter in the "Edinburgh Review" on the toleration of the first reformers; then let me adjure you, as a christian and a gentleman, to say on which side the balance of religious persecution lies—the Catholic or the Protestant?'

Not only is the Church of England essentially intolerant and persecuting, but she has always acted up to that character; and whatever instrument of mischief the spirit of the age permitted her at any time to use against those who dissented from her, she has always eagerly employed. Is not this very book of Dr. Southey an instance? Is not the Bridge-street Association another? Can any stronger proof be afforded than the hymn of praise (Te Deum, Clarendone, laudamus) so solemnly from day to day, and from generation to generation, chaunted to this performer of persecution for the Church, who, that he might get at his victims, was willing to break the most sacred ties by which human society is held together. Of the existing disposition to make this low character an idol of the Church, Southey is pregnant proof. A pair of prelates testify to the disposition of the former age. Hurd, in his Life of Warburton, says, "Lord Clarendon was one of his favourite characters, as well as writers; he honoured the man, and admired his History of the Grand Rebellion in the highest degree." Warburton himself, in his dedication of the Divine Legation, says, "In the dissolute times of Charles 2nd, this weapon [ridicule] with the same ease, and indeed in the same hands, completed the ruin of the best minister of that age. The historians tell us, that chancellor Hyde was brought into his master's contempt by this weak argument." Of the *faith* of the Church of England, we shall speak on a future occasion; its worship of this man is a specimen of its *morality*.

We have now pretty fully described the larger features of Mr. Southey's work. Writing upon the plan which he pursues, the points in detail in which he needs correction, are, of course, endless; having collected a large stock of materials for that purpose, we now find it impossible to use them.* To do the

* We cannot withhold the following instance:

Southey imputes to the Puritans the death of Chillingworth! In this he servilely copies Clarendon, and, with or without knowledge, suppresses

thing adequately, some one ought (as Mr. Southey has written a book of the English Church, in abuse of the Catholics and Dissenters, and Mr. Butler has written a book of the Catholic Church, for the purpose of repelling from his own church the

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the fact, that in every subsequent historical work Clarendon's falsehood has been corrected.—

"The treatment, indeed, of the loyal Clergy was, to the last degree, inhuman. Chillingworth fell into the hands of sir William Waller as a prisoner; he was of feeble constitution and ill at the time; but instead of shewing that reverence to his person, which he would have obtained from any noble enemy, the Puritan clergy, who attended Waller's army, used him with such barbarity that he died within a few days; nor did their inhumanity cease even with his death, for Cheynel, &c."—*Book of the Church,* vol. ii. p. 406.

"As soon as his person was known, which would have drawn reverence from any noble enemy, the clergy that attended that army prosecuted him with all the inhumanity imaginable, so that by their barbarous usage, he died within a few days to the grief of all who knew him, &c."—*Clarendon, Hist. of Rebellion,* b. viii.

Being seized with sudden illness, after assisting the Royal army by the invention of battering engines, Chillingworth took refuge in Arundel Castle, then beseiged by the Parliament forces. The *Royalist* officers of the garrison, regarding him as a Spy, behaved to him with great harshness, and aggravated his complaint. When the town was taken, he would have gone with the garrison to London, but his illness assumed an alarming appearance. He was carefully sent to Chichester, accommodated in the Bishop's Palace, attended by sir W. Waller's own private physician, and, by command of the Governor of Chichester, lieutenant Golledge and his wife nursed him with the greatest tenderness. Cheynell, who sent for his college friends, also attended him with the same assiduity, though unable wholly to restrain his zeal for the salvation of his heretical soul. Chillingworth did not die for some weeks after his capture, and left legacies to his Puritan attendants. These facts are now undisputed, and are amply verified in Des Maizeaux's Life of Chillingworth, in Cheynell's Chillingworthii Novissima, 4to. 1644. Anthony Wood says, he "was used very civilly," and Chillingworth's own apothecary published a high testimonial to the care and kindness bestowed upon him in his last moments. Thus it is that Southey makes a good case for the Church!

Chillingworth's defence of Protestantism, advocated the right of religious liberty, and if it is good for the Church against the Catholics, is equally good for the Puritans against the Church. Chillingworth himself in 1637, refused the offer of preferment by the keeper of the Seals, because he could not take the oaths *ex animo,* and subscribe to the 39 Articles. If the Archbishop of Canterbury would give access to a large volume of the Manuscripts of Chillingworth in the Lambeth Library, the real opinions of this able man would be much better known. In 1638, Archbishop Sheldon overcame his scruples with or without the prevailing arguments involved in the Chancellorship of Salisbury, the Prebend of Brixworth, and the Mastership of Wigstan's

abuse of Mr. Southey) to write a book of Non-conformity. Mr. Neal's History of the Puritans is, to a great degree, such a book; but with all its merits, it has some defects.

By-the-by, what Southey says of that work is one of the most impudent things which he has ventured to utter. The Court of High Commission were empowered to inquire into all misdemeanors "not only by the oaths of twelve men and witnesses," says Neal, "*but by all other means and ways they could devise*: that is," he adds, "by inquisition, by the rack, by torture, &c.;" and the fact is, that such were among the means to which these precious inquirers had recourse. Neal subjoins to the expression, "by all other means they could devise," this obvious reflection, "Surely this should have been limited to ways and means warranted by the laws and customs of the realm." Now for Maimbourg Southey: "Surely," says he, "this most prejudiced and dishonest of all historians ought to have observed, that it was so limited twice in the commission itself." To this we reply, and shall have no occasion to ask the reader to make the proper inference—IT IS NOT LIMITED IN THE COMMISSION—IT IS TOTALLY AND PERFECTLY UNLIMITED. Moreover, if Mr. Neal had been in a mistake, he would not have been *in mala fide*, for he gives the commission verbatim at the bottom of the page, where every reader has under his eye the means, directly furnished by Neal, of verifying or refuting his assertion.

It is true, however, that Neal writes with an air of favour towards the Puritans, and of prejudice against the church. There is a tone of apology for the one, and censure of the other. But these leanings do never affect the honesty of the historian. There is no suppression of evidence; there is no perversion of facts. After undergoing the severest scrutiny (the number of the clergy has not been small, nor their desire

Hospital in Leicester. The Laureat Historian was not minded to touch upon these points, though somewhat importing the truth of history.

We must also beg the reader to look at what is said by Southey of lord Brooke, vol. ii. p. 409, and then to ponder on the following passage:

"Lord Brooke was probably a man of great virtue; for the Royalist writers condescend to say, that if he had lived a little longer, he would, probably, have seen through the designs of his party, and deserted them. This silly sort of apology has been made for other patriots, and by higher writers than mere genealogists, as if nothing but the probability of a conversion could excuse those heroes who withstood the arbitrary proceedings of Charles and his ministers, and to whose spirit we owe so much of our liberty. Our Antiquaries weep over the destruction of convents, and our Historians sigh for Charles and Laud!"—H. Walpole. "Royal and Noble Authors."

to pick holes in such a performance weak), it is quite wonderful how insignificant are the mistakes in the History of the Puritans, which its censurers have been able to point out. And Mr. Neal's work stands incontestibly an authentic document of perhaps the most important of all the portions of English history. Nevertheless it is a portion of history so important, that it ought to be better written. The highest talent could not be more usefully employed. Innumerable are the lessons which it involves; invaluable are the illustrations of human nature, and of all that men have to aim at, and to shun, in their social transactions, which it affords. Many are the prejudices still strongly fixed by the roots which it would present the opportunity of eradicating; and many and important are the principles which would be illustrated and enforced by a just and enlightened exposition of the events. A history of the Puritans, that should be at once philosophical and popular, would be one of the most valuable presents which a man equal to the task could, at the present period, bestow upon his country; and we trust that we shall not long be without it. In the mean time, the Maimbourgs may write Books of the Church; and the Church may reward them by purchasing and puffing their works.

It is amusing to observe, how precisely similar is the manner in which the champion of the Catholic Church (Merlin or Milner) treats John Fox, and the champion of the English Church treats Mr. Neal. The abusive epithets applied by Southey to Neal we have just quoted. The following is the style which the Catholic uses in regard to poor Fox: "The peculiar style, and lying memorials of the schismatic, John Fox"—"The poet's authority for the whole of his martyrology is that of the lying Puritan, John Fox, whom he repeatedly calls *good Fox*, but whose notorious falsehoods have been repeatedly exposed, and sometimes even in courts of justice, and who himself was the advocate of the most perfidious murder committed in hatred of the Catholic religion, upon record."

This "Book of the Church" is so poor a performance, in all senses of the word, that the effects which it can produce, either good or evil, cannot be great. Whatever tendency it has, however, is all mischievous to the Church; and had its members been wiser men, they would have been among the first to cry it down.

In the first place, it cannot be favourable to the character of any institution, to have a suspicion excited by the mode in which a favourite advocate pleads its cause, that a case cannot be made for it, otherwise than by propagating a false character of its competitors; a suspicion that if the comparison is made

between it as it really is, and them as they really are, no very high opinion can be entertained of it; in fact, a suspicion, that men will no longer continue to esteem it, than just so long as they are duped, and taken in, by its panegyrists. This is what a cause naturally and righteously obtains, by enlisting misrepresentation among its troops.

In the next place, this book of Mr. Southey is an exposure of the nakedness of the Church, of its singular poverty, in respect to great men, of every description. It is perfectly wonderful, so wonderful that before experience it would hardly be credible, that so great a number of men as the clergy of the Church of England, receiving what they call the best education, and possessing leisure beyond any other class of lettered men, should, throughout so many generations, have produced hardly one man eminent for any thing; not one man that ranks in the first class of any branch of literature; but few that rank even in the second; and a number disgracefully small that are known to the world of letters at all; that they should have contributed hardly any thing to the promotion of knowledge in any of its departments; that their contributions even to their own theology should, when duly considered, appear to be of trifling account; that they have even maimed the argument for the truth of Christianity, which, as it has been incautiously put by the most admired of their defenders of the faith, is really untenable; and that among them all, not a single philosopher can be named; for Berkeley, who alone can be thought of as an exception, rather showed a capacity for philosophy than made in it any considerable achievement.

But the most deadly blow which this unfortunate Book inflicts upon the Church is, the full evidence which it exhibits of the hostility which the Church has displayed, so constantly as to show that it is one of the elements of its nature, to the great interests of mankind, to all those securities which are necessary to save the Many from becoming the victims of the Few, to those principles of government, which alone can secure to the great body of mankind the benefits of the social union, and constitute the only foundation upon which the structure of human intelligence, morality, and happiness, can be reared to its natural elevation.

This shows that there must be something deplorable in the composition of this Church; for the men who compose it are taken from the mass of the community; and not a less proportion of them, than of the rest of their countrymen, are estimable in all the narrower relations of life. A corporation of priests is indeed unfortunately situated with regard to all the higher

moralities. They have an interest in degrading the human mind; and of any considerable number of men the majority are always governed by their interest. The proof that they have such an interest is irresistible. Every man has an interest in acquiring a command over the minds of other men. That command, to any great extent, constitutes the strongest of all human interests. A corporation of clergy, having the powers of government in league with them, have the prospect of an extensive command over the minds of their countrymen; and thence a motive of great intensity to strive to make that command as irresistible and complete as possible. They have first of all an interest in persuading the powers of government to exclude all competitors with them, to forbid the existence of any other priests than themselves; that thus they may have the minds of the community wholly to themselves, or, if this cannot be done completely, to come as near to it as possible. To get the powers of government to aid them in this, they must be zealous to serve the powers of government in their turn, that is, to employ all the influence which they can obtain over the minds of the people, in helping those who hold the reins of government, to render themselves secure in making any use of it which they conceive for their advantage, that is, to render them despots. This is the interest which a corporation of clergy have in corrupting the springs of government, and in labouring to sink, or to keep, their country in the mire of despotism. When men are free as citizens, they will also assert the freedom of choice in matters of religion, and the monopoly of the Clerical Company is at an end. But this is not all. It is not enough that the government ensure to them freedom from competition. It is desirable, that their dominion should not only extend to every mind, but be as complete and perfect over every mind as possible. How is this to be accomplished? Through the medium of fear. No other weapon of command is sufficiently powerful. The fears which the priest has to act with, are the fears of invisible powers. But these fears are always the most intense, when the human mind is the most degraded. When illuminated and strong, it completely excludes those fears; it ascends to just conceptions of the laws of the universe, and admits no idea of a God, but that of a perfect intelligence, the object not of fear, but of love. In this state of the human mind, the power of the priest is at an end. He is powerful, only when he is supposed of immense importance for averting the wrath of the angry God, and for teaching the trembling and ignorant votary what the terrible Being wills. When every man is sufficiently instructed to know, what is

perfectly simple, the will of a perfectly good Being, to understand that between such a Being and his creature, a Being "who knows his coming-in, and his going-out; his down-sitting, and his up-rising," and at all times wills for him what is most for his good; the idea of a priest as a teacher of this will, still more as a mediator for the averting of wrath, is merely ridiculous. The priest has therefore the strongest conceivable interest in preventing the human mind from acquiring this clearness and strength; in keeping it as far distant from it as possible. It is his interest to perpetuate the reign of ignorance and darkness; to prevent the diffusion of education among the people, and if that cannot be done, to get the management of it into his own hands, and to fix it as completely as possible upon frivolous objects; above all things, to prevent the diffusion of good books, especially every book that criticises him and his system; to prevent the freedom of the press, if possible, altogether; but if that is impossible, perpetually to decry it, and reduce the liberty allowed to it, within the narrowest possible limits.

It appears to us, for these, and for many other reasons, which we shall develop at length on a future occasion, that a corporation of priests, dependent upon the government, is entirely Antichristian; that it leads, by necessity, to the perversion of religion, and is one of the strongest engines of misgovernment, and of the degradation of the people. At present, we have considered only what has been forced upon us by Maimbourg Southey, and his History of the Church, and have seen what lessons it affords. We shall hereafter examine the question of an Establishment in general, and the merits in particular of the English Establishment, both in doctrine and constitution.

PERIODICAL LITERATURE.

ART. IX. *The Quarterly Review*, No. LX. Art. 1. *On the Essay on Political Economy, in the Supplement to the Encyclopædia Britannica.*

HAD this article been particularly good, we might have left it to work its way by itself. Had it been bad, after the usual manner of the Quarterly Review, begging every question on the side of power, we should not have thought it necessary to add any thing to the exposure which we have already given of this branch of the aristocratic logic. It happens, however, that while the article is as bad as might naturally be expected, considering the quarter from which it comes, there are peculiarities in its badness, which take it out of the ordinary run of Quarterly Review articles.

The object of the writer, as described by himself, is, to upset what he terms the "new school of political economy;" of which school he is pleased to consider the very able essay* which he has taken for his text, as the manual. His predictions, with respect to the future fate of this school, are sufficiently appalling. He threatens them with a downfal similar to that of the French Economists, between whose system and theirs, he has discovered that there is a remarkable similarity; a piece of information which is as new to us as his menaces are alarming. We learn that they, to their unspeakable confusion, have set at nought the wisdom of their ancestors, and "altered the theories of Adam Smith upon pure speculation" (it would, indeed, have been somewhat surprising if they had altered them on any other ground). It was fitting that such unparalleled temerity should not escape unchastised. Happily, the old and orthodox faith was not left altogether destitute, for our author remained. It was reserved for him to carry back the science to its fountain-head—to restore the legitimate rule of Adam Smith, or, as he afterwards expresses it, of "Adam Smith and Mr. Malthus."

A writer who praises what is old and condemns what is new, is exactly suited to the Quarterly Review; and, considering him merely in the capacity of a Quarterly Reviewer, we are

* We cannot omit an opportunity of recording our feeble testimony to the merits of this essay, which deservedly ranks among the ablest productions of one of the first political economists of the age; and which, from the soundness of its principles, the aptness of its illustrations, and the perspicuity of its style, is one of the best elementary treatises of which the science has yet to boast.

only surprised that he should have pitched upon Adam Smith as the object of his idolatry; a writer who, whatever may be his other merits, cannot lay claim to that of being two centuries old; and who not only did his utmost to promote an object so alien to the conceptions and wishes of a Quarterly-Reviewer, as the improvement of the great mass of mankind, but pursued that object by means which he cannot but regard as abominable; by pointing out the defects of existing institutions, and suggesting remedies. If it was absolutely necessary to have a system, to set up in opposition to the new-fangled doctrines of later times, a purer source might have been found from whence to derive it; and the writings of St. Athanasius, St. Jerome, and St. Augustin, if read with faith, would, doubtless, have afforded thirty-nine articles of political economy, untainted with the poison of modern sedition and impiety. Unfortunately, however, man is presumptuous, and will use his reason, unconscious that he is playing with edge-tools, and unmoved by the dangers with which he is threatened by his masters in this world and by his pastors in the next. In vain does the anxious tenderness of the Quarterly Review represent to him, that the reason, on which he so arrogantly prides himself, was given by a benevolent Providence on purpose to delude and mislead him; that the only safe standard of belief is the faith of his fathers; and that, although the insufficient records of early times do not permit us to mount up to the creation of the world, and ascertain what were the opinions of Adam on the subject of political economy, it is our duty to approach as near to that summit of orthodoxy as we can. Instead of listening to these pious exhortations with the reverence and submission which they deserve, the reader breaks out into a blasphemous laugh, and shuts the book; for we live in an incredulous age, and we are even informed that there are some (we say it with horror) who doubt the whole Athanasian creed, and dispute the divine authority of tithes. Being unable, therefore, to do what they would, the Reviewers wisely content themselves with doing what they can. Being unable to drag back the public mind five thousand years, they are fain to try whether they can drag it fifty.

To do them justice, they resisted Adam Smith, as long as they could do so without falling into utter contempt. When the reputation of the "Wealth of Nations" was not so well established as it now is, they called it "a tedious and hard-hearted book, greatly over-valued, even on the score of ability;" it considered man (they said) in the light of a "manufacturing animal," and estimated his importance by the gain which can

be extracted from him; nay, we almost shudder at the treatment which it inflicted upon him, since it actually "plucked the wings of his intellect," and "stripped him of the down and plumage of his virtues." Mr. Malthus, too, at that period surpassed, if possible, even Adam Smith in criminality; and it was with difficulty that they could find language adequate to express guilt of so black a dye. They described his reputation as disgraceful to the age; they made a collection of the most approved epithets, expressive of all the varieties of wickedness or folly, and heaped them on his devoted head.* Unfortunately, however, both Adam Smith and Mr. Malthus proved too strong for the Quarterly Review; and now that the public mind has got beyond them, the Quarterly Review courts an alliance even with such monsters of depravity, rather than tolerate that unholy spirit of progression which is so unhappily conspicuous in the human species.

This, we say, is quite in character, and can surprise no one; and if the present article had contained nothing more extraordinary, we should not have thought it worthy of a lengthened notice in our pages. But this is far from being the case; and the article is altogether so great a curiosity, that we could not refrain from drawing to it the attention of our readers.

When we commenced the perusal, we were considerably startled at the remarkable similarity of the style to that of Mr. Malthus himself; nor was our surprise lessened when we found the Reviewer to be a professed advocate of several opinions, which we had hitherto imagined to be held by Mr. Malthus exclusively. Whatever suspicions, however, we might have formed at the beginning of the article, they were effectually dispelled before we arrived at the close; nor was it long before we discovered that this writer, under the mask of a devoted adherent of Mr. Malthus, is, in reality, his concealed enemy, and affects to defend his doctrines, merely to have an opportunity of exhibiting them and him in a ridiculous and contemptible attitude. In this attempt, candour constrains us to own that he has completely succeeded: for the article is precisely such as the bitterest enemy of Mr. Malthus would have wished him to write; and the imitation is so close, that even we, who believe ourselves to be tolerably well versed in Mr. Malthus's writings, were, for a time, deceived by it. Not having heard, however, that Mr. Malthus has yet publicly disavowed the opinions which are here put forward as his, or disclaimed con-

* See a review of Colquhoun on the Poor, in the sixteenth number of the Quarterly Review.

nexion with the Reviewer, whom he probably deems altogether unworthy of his notice, we are apprehensive lest some incautious reader, misled by the confident tone of the Reviewer, and by the air of sincerity which finely characterises his irony, should unguardedly conclude that he is in earnest, and should mistake this grave piece of raillery for a serious *exposé* of Mr. Malthus's opinions. Few persons are inclined to allow a larger scope to wit and ridicule than ourselves; but when wit and ridicule assume so malignant a form, we should be wanting in our duty, if we did not come forward to unmask the cheat and put the public on their guard.

Among not a few other difficulties, however, with which we shall have to contend in the execution of our design, one, and that one not the least considerable, is the impossibility of making the malicious accuracy of the imitation perceptible to those who are but imperfectly acquainted with the original; a description of persons including, we are greatly apprehensive, a very considerable proportion of the public. Few, we fear, of our readers can boast, like ourselves, of having effected the reading of Mr. Malthus's "Measure of Value," and of his "Principles of Political Economy." It is indeed a task by no means lightly to be engaged in, and upon which we cannot advise any person to enter without being aware what it is which he undertakes. For if Mr. Malthus excels in any thing, it is not certainly in smoothing the road to knowledge; and if any truths are contained in the works to which we have alluded, they must be of the number of those truths which lie hidden in the bottom of a well.

On reflection, however, it occurred to us, that if few have read Mr. Malthus, it is only the more necessary that some person who has read him should step forward to vindicate his reputation from the calumnious insinuations of this pretended disciple; who not only puts forward Mr. Malthus's peculiar doctrines in such a manner as actually to direct the assailant to all the points most open to attack; but affects to consider as the opinions of Mr. Malthus, opinions utterly inconsistent with, and even contrary to, those which that gentleman has always professed to hold: nor does he stop here, but while he copies implicitly all the mistiness of Mr. Malthus's style, he never lets slip an opportunity of throwing in, by a side wind, some concealed joke at Mr. Malthus's expense.

Thus, because certain Political Economists differ somewhat from Mr. Malthus, he dubs them the "new school," thereby intimating, that Mr. Malthus's doctrines are exploded and out of date; and he takes a malicious pleasure in coupling Mr.

Malthus with Adam Smith; a compliment for which Mr. Malthus cannot be too grateful, as it implies that all the discoveries of modern Political Economists are thrown away upon him, and that he has not yet advanced beyond the founder of the science. It may appear presumptuous to suppose, that so great a master of ridicule as this writer can stand in need of any suggestions that we can give, for the better amusement of his readers; but, we think, that in attempting to twist the systems of Mr. Malthus and of Adam Smith into concordance, to be serious would have been by far the best joke which he could have devised. The difficulty of serving God and Mammon is proverbial, but it is a mere trifle in comparison with that of reconciling Mr. Malthus and Adam Smith: the former difficulty, whatever it may once have been, the experience of modern times has proved to be by no means insuperable.

The Reviewer proceeds, with well-feigned gravity, to criticise the doctrines of the "new school." To say that he attempts to criticise them without knowing any thing about them, would be to say very little: since it would, on the contrary, be much more surprising, were a Quarterly-Reviewer to be found, who *did* know any thing about any subject which requires any intellect, or is of any importance to mankind. It is not, therefore, the blunders of this writer, which we wish especially to be remarked, but the sang-froid with which he lays all of them to the charge of Mr. Malthus, by pretending to fight on his side, and to be the enemy of his enemies.

'The main principles,' says he, 'which more especially characterize the new school of political economy, appear to be three.

'1. That the quantity of labour worked up in commodities determines their exchangeable value.

'2. That the demand and supply have no effect upon prices and values, except in cases of monopoly, or for short periods of time.

'3. That the difficulty of production on the land is the regulator of profits, to the entire exclusion of the cause stated by Adam Smith; namely, the relative abundance and competition of capital'—p. 307.

He afterwards [p. 332] continues:

'We are inclined, however, to think, that these differences may be still further concentrated; and that it will not be incorrect to state, that all the peculiar doctrines of the new system directly and necessarily flow from the first of these new principles; namely, that *the exchangeable value of commodities is determined by the quantity of labour worked up in them.* It follows directly and necessarily from this principle, that neither the demand, compared with the supply, nor the relative abundance and competition of capital, can have more than a mere temporary effect on values and profits.'

We have been accustomed to believe that political economy, which was left, even by Adam Smith, in a state of great vagueness and uncertainty, had been raised to the rank of a science chiefly by three discoveries: the principle of *population*, the theory of *rent*, and Mr. Ricardo's theory of *foreign commerce*. If these discoveries be thought to constitute a *school*, Mr. Malthus must certainly be considered a leading member of that school: of the first, and most important of the three principles which we have named, he is generally believed to have been the discoverer; of the second he has furnished one of the earliest expositions. Doctrines which make such havoc with the faith of our fathers, might naturally have excited the wrath of the Quarterly Review: and the duller geniuses among the orthodox, who cannot understand a joke, will wonder that in a professed attack upon the "new school," it should have passed over the most essential doctrines of that "school;" but it is easy to see, that to refute their opinions, or any opinions, was the last thing which this writer had any thought of: all he sought was to ridicule Mr. Malthus, whom he wished to represent as actually not knowing what their essential doctrines are.

As for the three propositions which the Reviewer has hit upon, to distinguish the "new school" from that of Adam Smith and Mr. Malthus, the two last, as here stated, never were maintained by them at all: while the first, into which he resolves both the others, and which he holds up as the *most* important of all their doctrines, happens to be the *least* important; and so far is it from being true, as he asserts, "that all the peculiar doctrines of the new system directly and necessarily flow" from this proposition, that not one of their doctrines, nor, so far as we know, of any other doctrines, flows from it at all; it being, in truth, more a question of nomenclature and classification than one from which any important consequences are deduced. Granting, therefore, that the Reviewer has completely demolished these three propositions—two of which, indeed, we freely concede to him—all the fundamental principles of the "new school" remain untouched.

It must be owned, indeed, that Mr. Malthus is peculiarly sensitive on every thing which regards his measure of value; a discovery, indeed, which he appears to cherish the more fondly, as no one, except himself, seems to be capable of appreciating it: but it is too much to attempt to persuade the public that Mr. Malthus is so wrapt up in the importance of his supposed discovery, as actually to believe that these insignificant disputes about value are the most important questions in political economy, questions upon which every thing depends—

questions of more consequence than the theories of rent, profits, and foreign trade!

We will now go a little deeper into the subject, and see what this pseudo-Malthusian has to say on each of the topics aforesaid. For this purpose we will follow his example, and begin with the first of the three principles; "That the quantity of labour worked up in commodities determines their exchangeable value."

The doctrine which our Reviewer comes out with, in opposition to this principle, proves how accurately he has imitated his great original: for it is no less than Mr. Malthus's favourite doctrine, with which all who have read his "Measure of Value" are familiar—that value depends upon labour and profits: a proposition which he supports in the following terms:—

'If, for instance, a useful stone inclosure, built from materials on the spot, were constructed in eight days by fifty common masons paid at half-a-crown a day, the inclosure, when completed and fit for use, would, on account of the very small quantity of profits concerned, be worth but little more than the labour employed upon it, that is, 400 days, or, in money, fifty pounds. Now, if we suppose a pipe of wine to be worth, when it is first put into the cask, exactly the same quantity of labour and money, but that it is to be kept two years before it is used, and that the rate of profits is fifteen per cent, it is obvious, that, at the expiration of that time, it must be sold at about £65, or its value must be above 520 days instead of 400 days labour, in order that the conditions of its supply may be fulfilled. We have here, then, two commodities, which, by the hypothesis, have had the same quantity of labour employed upon them, and yet the exchangeable value of one of them exceeds that of the other above 30 per cent, on account of the very different quantity of profits worked up in each.

'Now let us suppose, that the rate of profits falls from 15 per cent to 6 per cent, then the value of the article, in which profits had very little concern, would remain nearly the same, the conditions of its supply being nearly the same; while the conditions of the supply of the wine will have so essentially altered, without the slightest alteration in its quality, that, instead of being worth about 30 per cent more than the walls, it would now only be worth a little above 12 per cent more'—p. 310.

Now this is all very true, but "we think we have heard all this before:" it is, in truth, the old doctrine, about the influence of *time* on value; and we think our readers will admit that it is at least as clearly and as forcibly stated in the following passage, as it is by the Reviewer:—

"It is hardly necessary to say, that commodities which have the same quantity of labour bestowed on their production, will

differ in exchangeable value, if they cannot be brought to market in the same time.

"Suppose I employ twenty men at an expense of £1000 for a year in the production of a commodity, and at the end of the year I employ twenty men again for another year, at a further expense of £1000, in finishing or perfecting the same commodity, and that I bring it to market at the end of two years, if profits be 10 per cent, my commodity must sell for £2,310; for I have employed £1000 capital for one year, and £2,100 capital for one year more. Another man employs precisely the same quantity of labour, but he employs it all in the first year; he employs forty men at an expense of £2,000, and at the end of the first year he sells it with 10 per cent profit, or for £2,200. Here then are two commodities having precisely the same quantity of labour bestowed on them, one of which sells for £2,310, the other for £2,200."

Now, to what author does the reader suppose we are indebted for this passage? To Mr. Malthus, or to Adam Smith? No: to *Mr. Ricardo!**

So much for the novelty and importance of the Reviewer's first objection to Mr. Ricardo's doctrine of value. His second objection is, that "the quantity of profits which enters into the composition of commodities is greatly increased in all cases of an increase of fixed capital as compared with circulating:" this also, he himself admits to be "universally acknowledged:" indeed, Mr. Ricardo says, "This difference in the degree of durability of fixed capital, and this variety in the proportions in which the two sorts of capital may be combined, introduce another cause, besides the greater or less quantity of labour necessary to produce commodities, for the variations in their relative value: this cause is the rise or fall in the value of labour." Principles of Political Economy, p. 25.

So far, then, it seems, all parties are agreed; and further objection, under this head, our Reviewer has none.

What then is this great question upon which we are to believe that the whole science depends? simply, as we have already observed, a question of nomenclature: the question, whether these facts, about which all are agreed, shall be contained in one expression or another; whether this effect of *time*, and this effect of *fixed capital*, are ultimately resolvable into labour, and are included in the simple expression that value depends upon quantity of labour, or not: a question of pure curiosity, and of no practical use whatever. Yet this is the question upon

* Principles of Political Economy, 3rd edition, p. 34.

which our pseudo-Malthusian pretends to believe, that the whole of the peculiar doctrines of the "new school" depend.*

It is very well, if a Reviewer chuses to make a great noise about nothing. It is no novel practice, certainly, with Reviewers; and as little so with Quarterly, as with any other Reviewers; but it is hard that Mr. Malthus should be held responsible for all the ignorance and confusion of ideas which the Reviewer chuses to impute to him, and should be deemed incapable of distinguishing between a question about words and a question about things, merely to afford a good joke to a Quarterly-Reviewer.

We have already remarked, that the second of the three propositions which the Reviewer puts into the mouth of the new school, "that demand and supply have no influence on prices and values except in cases of monopoly, or for short periods of time", never was maintained by them at all. They not only allow that demand and supply have *some* influence on value, but they assert that nothing else has any influence whatever, except in as far as it may be calculated to affect either the demand or the supply. When they say that cost of production regulates value, it is only because cost of production is that which regulates supply. If there be two commodities, produced by equal cost, what is the reason that they exchange for one another? The reason is, because if one of the two bore a higher value than the other, when the cost of production is the same, the profits of the two producers would be unequal, and it would be the interest of one of them to withdraw a portion of his capital from his own business and transfer it to that of the other; thus *increasing the supply* of the dearer commodity, diminishing that of the cheaper, until the equality of values is restored: and restored, as the reader will observe, not in contradiction to the principle of demand and supply, but in consequence of it. "It thus appears," says Mr. Mill [Elements of Political Economy, 2nd Ed. p. 88] "that the relative value of commodities, or, in other words, the quantity of one which exchanges for a given

* It is remarkable, that on this question of nomenclature, Mr. Ricardo actually *agreed with Mr. Malthus:* he did not indeed adopt the "measure of value," but he believed that those modifications of the principle that value depends upon quantity of labour, on which Mr. Malthus lays so much stress, were not included in the proposition, but required to be annexed to it by a qualifying clause. Some other political economists, indeed, particularly Mr. Mac Culloch and Mr. Mill, think differently; and in their opinion we ourselves concur: not, however, to weary our readers by discussing a question of no practical use, we shall content ourselves with referring them to the latter part of the chapter on exchangeable value, in the second edition of Mr. Mill's Elements.

quantity of another, depends upon *demand and supply*, in the first instance, but upon cost of production ultimately, and hence, in accurate language, upon cost of production entirely."

It is true that a variation in productive cost frequently takes place, and produces a corresponding variation in value, without any actual alteration of supply; that an increase, for instance, of the productive cost of an article, raises its value without necessarily diminishing the supply, because all the parties concerned, whether as sellers or as purchasers, know that if the rise of value does not take place *without* a limitation of supply, it must take place *by* such a limitation. If, for example, a duty of a shilling per yard were imposed upon cloth, the dealers, in all probability, would quietly lay an additional shilling upon every yard of cloth which they might sell; and it would not necessarily follow that any capital would be withdrawn from the manufacture of cloth; unless indeed the higher price had the effect of narrowing the demand, which is not improbable, but is altogether extrinsic to the question. Although, however, there would be no *actual*, there would even here be a *potential* limitation of supply; upon which potential limitation, not only something would depend, but every thing would depend; since cost of production itself would have no influence on value without it.

It is usual, indeed, to say that a fluctuation in demand and supply cannot have more than a temporary effect upon value: but this is merely because the fluctuation in the demand and supply must itself be temporary, unless accompanied by a change in cost of production. Could we suppose a permanent change in the proportion of the demand and supply to one another, independently of productive cost, value also would permanently vary, and cost of production would cease to have any influence over it. This, however, is to suppose the absence of free competition: an element which, in political economy, is always taken for granted unless otherwise expressed. There is not the smallest foundation, then, for the assertion, that the "new school" deny that values depend upon supply and demand.

But the malicious ingenuity of this Reviewer will not suffer Mr. Malthus to talk common sense, even when he is on the right side of the question: and though he is fighting shadows, yet even shadows baffle him, and drive him completely out of the field.

He begins by saying, that demand and supply, though they have no influence on labour, which is one of the ingredients of value, have an influence on profits, which is the other ingredient. To this proposition we shall not say whether we assent or not; for this reason, that previously to committing ourselves

for or against a proposition, we usually endeavour to attach some meaning to it, which, in this case, we confess our inability to do. We think we know what is meant by the influence of demand and supply: the demand and supply of cloth have an influence on the value of cloth; the demand and supply of corn have an influence on the value of corn: but what is meant by "demand and supply" in the abstract, or what demand and supply it can be, which has an influence on *profits*, is a mystery which we cannot fathom.

When it has been our fate to peruse any of Mr. Malthus's lucubrations on the more intricate subjects of political economy, we have remarked, that although they are in general sufficiently obscure, yet if there is one part of them which is more obscure than another, it is where he attempts anything like explanation or illustration. This peculiarity of Mr. Malthus our satirist has very happily seized; and so invariably has he adhered to the rule, that so soon as he begins to speak of throwing light upon a subject, from that moment we lose all hope of ever understanding it. Thus, under pretence of explaining the above proposition, which we thought had been of itself sufficiently incomprehensible, he has contrived to throw as thick a mist round it as would have sufficed to obscure the clearest demonstration in Euclid.

He begins by saying, that Mr. Ricardo has proved, that profits are determined by the proportion of the whole produce which *goes to labour;* this we at first thought we had understood; for we have read Mr. Ricardo's work, and we know that he has proved that profits are determined by the proportion of the produce, which *goes to the payment of wages*: but we soon found what an egregious mistake we had committed, and how little we were capable of comprehending the fineness of our author's satire. This, he goes on to state, is "only one important step in the theory of profits, which, of course, cannot be complete till we have ascertained the cause which, under all circumstances, regulates this *proportion of the whole produce which goes to labour, immediate and accumulated.*" Now, as he himself has expressly excluded [p. 309] all consideration of rents, we were not a little puzzled by this last proposition; since, in our humble conception, the *whole* of the produce, with the exception of rent, goes to the payment either of immediate or accumulated labour—either of the labourer or of the capitalist: it is evident, therefore, that in using the expression, "the proportion of the whole produce which *goes to labour,*" he cannot have meant, the proportion which goes to the *payment of wages,* but that in this mysterious phrase there lurks some recondite

meaning, to which the Reviewer, oracle-like, withholds from us the key.

To ascertain, then, what it is which regulates the proportion of the whole produce which "goes to labour," is his next object. The prevailing opinion he declares to be, that it depends upon the "greater or less demand for labour," compared, as we suppose, with the supply: in short, that wages depend upon the ratio between population and capital. This, however, we learn to be a vulgar error: the proportion of the produce which "goes to labour," really depending not upon the demand and supply of labour, but upon the demand and supply of *produce*. "The specific reason which occasions a larger or smaller proportion of the produce of a given quantity of labour to go to labour, is the fall or rise in the value of the whole produce of such labour, resulting from the temporary or ordinary state of the supply, compared with the demand"—p. 316.

We had been accustomed to believe, as we thought on pretty good grounds, and certainly in conformity with the doctrines of Mr. Malthus, in his Essay on Population, that the *ratio between population and capital* had been the regulator of wages: but we now learn it to be *the value of the whole produce*. Our satisfaction at the receipt of this new and unexpected information is greatly alloyed by the difficulty of comprehending it. We can understand what is meant by the *value of cottons*; namely, the quantity of other commodities for which a given quantity of cottons will exchange: we can understand in what manner cottons may rise or fall in value; namely, when a given quantity of cottons comes to exchange for a greater or less quantity of other commodities than before: but what is meant by the value of the *whole* produce, or how the whole produce of the land or labour of a country, or of the world, can be said to rise or fall in value, is a problem, of which we must leave it to wiser heads than our own to discover the solution. Value is a relative term: if it is not this, it is nothing: if any one talks about absolute value, or any other kind of value than exchangeable value, we know not what he means. One commodity may rise or fall in value, with respect to another; all commodities cannot rise or fall in value, with respect to themselves.

The Reviewer, however, thinks it incumbent upon him to know better, and the reader, we are sure, will join with us in admiring the originality and relevancy of the fact upon which his theory is founded. If cottons, says he, fall in value from abundant supply; of the cottons produced by the same quantity of labour, a greater proportion will be required to pay for that labour, and a smaller proportion will therefore remain for the

capitalist; and, on the other hand, if cottons rise in value, from a diminished supply, a smaller proportion will suffice to pay the labourer, and a larger proportion will remain as profits to the capitalist. This is not only in itself altogether novel and of the highest importance, but seems to prove that (strange to relate!) the producer is benefitted by a high price of his goods—injured by a low one. The Reviewer next proceeds to generalize upon this grand discovery. The proportion, says he, of the *whole produce* which goes to labour, depends upon the *value of produce.* We at first regretted that he had not condescended to unfold to us the hidden process by which such a conclusion is drawn from such premises; but we speedily consoled ourselves with the reflection, that we have not lost much, since if he had, it is probable that we should not have understood him; nor, indeed, is there any just cause for wonder, that we should be unable to understand how a proposition is proved, when we cannot even comprehend the proposition itself.

In this chain of words, for we will not call them arguments, the experienced reader will not fail to recognize an exaggerated likeness of Mr. Malthus. Our anxiety, however, to convince him that we do not purposely conceal from him the connexion of ideas, but that we really give him the benefit of whatever meaning we can extract from those outward and visible signs of inward ideas, which, like other signs, frequently show themselves, when the reality which they are supposed to indicate does not exist, has induced us to withhold from him the best part of the joke; namely, a disquisition, of and concerning the "measure of value," which the Reviewer has contrived to intermix with the above *exposé*, as a remedy apparently for its unnecessary clearness. The disquisition itself certainly leaves no reason for complaint on the score of too great perspicuity; nor indeed on that of logic; from the rules of which, this writer holds himself completely exempt. He begins by laying down as a principle the proposition which he has undertaken to prove; and though this one assumption ought in all conscience to have been sufficient, he does not stop here, but bravely reiterates it in a variety of shapes in every succeeding sentence to the close. The proposition, and the logic by which it is proved, are worthy of one another; and there could not be a more bitter piece of satire, both upon the principle itself and upon its author.

We now approach the third of the propositions which "more especially characterize the new school of political economy." This is, as our readers have already been informed, "that the difficulty of production on the land is the regulator of profits,

to the entire exclusion of the cause stated by Adam Smith, namely, the relative abundance and competition of capital."

That the "new school" do not believe the "relative abundance and competition of capital" to be the regulator of profits, is no doubt true; nor do they even comprehend how there can be such a thing as competition of capital, unless it be competition for labour. Adam Smith supposed, that, when capital increased, the competition of capitalists induced them to lower their prices, and, by a necessary consequence, their profits. The "new school" dissent from this doctrine; first, because prices depend not upon the competition of capital, but upon the quantity of money in the country, compared with the quantity of commodities to be circulated, and the rapidity of circulation; and secondly, because, even granting that, as Adam Smith supposes, all prices would be lowered, profits would not be affected; for this very reason, because *all* prices would have fallen; in consequence of which every capitalist would be able to command, less money, it is true, but precisely the same quantity of all commodities which he desired to purchase, as before. The competition of capital, therefore, can, in no conceivable manner, operate to lower profits by lowering prices: and here Mr. Malthus is just as far from agreeing with Adam Smith as Mr. Ricardo himself. That there may be, and always is, a competition of capital for labour, is most true: this is the only competition of capital which Mr. Malthus acknowledges; and this competition has undoubtedly a tendency to raise wages, and, therefore, to lower profits; the limit to the rise of wages being the ratio between capital and population; wages, therefore, depend upon the ratio between population and capital, and profits depend upon wages: and this is the real doctrine of the "new school." Where the Reviewer found the doctrine, that "the difficulty of production on the land is the regulator of profits," he himself best knows.

The satire is here less refined than usual; for even had Mr. Malthus been capable of so grossly misunderstanding the doctrines of his opponents, he would scarcely, in that case, have been so simple as to expose his ignorance by *quoting*. Yet this the Reviewer has done [p. 320]. "This principle" (that the difficulty of production on the land is the regulator of profits), "which is adverted to in various parts of the treatise" (meaning Mr. M'Culloch's Essay on Political Economy), "is broadly laid down in the last section of the third division, in the following passage." A quotation follows; in which, after an attentive perusal, the passage most like the above proposition, which we can find, is the following:—

"The fall of profits, which invariably takes place as society advances and population becomes denser, is not owing to competition, but to a very different cause; to a diminution of the power to employ capital with advantage, resulting either from a decrease in the fertility of the soil which must be taken into cultivation in the progress of society, or from an increase of taxation."

Here is a manifest insinuation, that Mr. Malthus is not only ignorant of the most elementary principles of the science, but that he is unable to understand a plain statement, conveyed in plain language. It is evident enough that Mr. M'Culloch, in the above passage, not only did not assert that the difficulty of production on the land is the sole regulator of profits (if he had he would have been the first man who ever maintained so preposterous a doctrine), but never intended even to speak of any fluctuation in profits, excepting that fall "which invariably takes place as society advances, and population becomes denser;" that his meaning, in short, was, that whatever other causes might affect profits by affecting wages, there is one cause, namely, the increasing difficulty of producing the necessaries of the labourer, which must always ensure a rise of wages, and a consequent fall of profits, as population increases and cultivation is extended. Does the Reviewer deny this? Mr. Malthus surely does not.

We pass over all that the Reviewer says, to prove that corn wages are not the same at all times and in all places; never having heard of any body who asserted that they were, we think that he might have spared this portion of his labours. It is just as little to the purpose, that he triumphantly asks, how the fall of profits, which has taken place during the last eight or nine years, can be ascribed to the difficulty of production on the land; as if it had ever been asserted, that profits could never fall from any other cause. But mark how the Reviewer himself accounts for the fall of profits. "What, then," says he, [p. 323] "was the cause of the fall of profits? It was obviously a fall in the *value of produce!*" and not only this, but "a fall in the value of produce, owing to the abundance and competition of capital!"

The reader probably thinks that we have said enough on the subject of the "value of produce;" but it is here that, for the first time, we get an incidental glimpse of what the phrase is intended to mean. This inveterate wag, who will never have done jeering Mr. Malthus, contrives once more to bring in our old acquaintance, the "measure of value." By a fall, it seems, in the *value of produce*, he all along meant a fall in the ex-

changeable value of commodities, *relatively to labour;* in short, what any one else would have called a rise of wages: which is precisely the cause to which the "new school" ascribes the fall of profits. It is not to be supposed, however, that Mr. Malthus and the "new school" can be permitted to agree, on any one point. The sallies of our author's wit here become particularly lively. Only mark the figure which Mr. Malthus is made to cut, by this pretended disciple. This abundance and competition of capital, says he [p. 322], lowers profits by *occasioning a different division of what was produced, and awarding a larger proportion of it to the labourer, and a smaller to the capitalist.* Yet, though the labourer obtains both a greater *quantity* of commodities, and a greater *proportion*, he does not obtain *higher wages.*

'Innumerable facts concur to show, that this increased proportion awarded to the labourer continually takes place without being accompanied with any circumstances which indicate either an increased demand for labour, or an increase in the value of the same quantity of labour'—p. 325.

'It is universally allowed, that the money price of corn and commodities has fallen during the last nine years more than the money price of labour; and while the merchant sees, that on this account the workmen whom he employs are paid a larger proportion of the commodities which they produce, we believe that there is not a single unsophisticated person in business who would not at the same time acknowledge, that this was not owing to the scarcity and increased demand for labour, but to the abundance and cheapness of the commodities produced, occasioned by the abundance and competition of capital in every department of industry'—pp. 324-5.

Nothing can be droller than the whole of this passage; nor any thing more sarcastically humourous than the appeal to "unsophisticated persons in business." It only remains to intrust some competent person with the privilege of determining what "persons in business" are unsophisticated, and what the reverse; a privilege which he seems to think can be confided to no one, with so great propriety as to himself.

But this inveterate enemy of Mr. Malthus is not even yet satisfied; and having already made him, for the sake of his "measure of value," explain away almost all the fundamental principles of the science, he next proceeds to make him explain away the principle of population itself. Mr. M'Culloch had said, that an increase of capital, if unaccompanied by an increased difficulty of producing the necessaries of the labourer, is not likely to occasion a permanent fall of profits; because, by raising the wages of labour, it stimulates the increase of population, so as, in all probability, to lower wages, and raise profits

to the same rate as before. This opinion the Reviewer now finds to be erroneous: an increase of capital, provided it comes upon a *slack demand for produce* (that is, an eagerness on the part of the labourers to toil, none to enjoy), does not stimulate population. True it is, that it gives more and better food, clothing, and lodging, more necessaries, comforts, and enjoyments, to every labourer; which we had hitherto believed to be the only way in which a rise of wages could possibly stimulate population; but the labourers, to whatever degree better fed, clothed, and lodged, will not multiply. For why? because there is a slack demand for produce, and because they have not got a greater *value* than before.

It would have been satisfactory had the Reviewer informed us in what manner, upon this principle, a rise of wages can by possibility take place at all. If wages cannot rise, unless the labourer gets a greater value for his labour, and if commodities can never have a greater value unless they can command more labour, the supposition of a rise of wages involves a contradiction; since, whatever quantity of food, clothing, and lodging a day's labour may command, it can never command more than the value of a day's labour. Although, however, it is not possible for wages to rise, it is possible for them to fall; and (what is somewhat remarkable), it is when the labourer obtains the greatest quantity of necessaries, comforts, and enjoyments, and the greatest proportion of the produce, that his wages are lowest. The supposed increase of capital, instead of increasing, as we should have expected, the demand for labour, actually diminishes it, "and the mass of these funds would not be adequate to set so many people to work as before" [p. 327]. Now we have shewn that whatever is true of an increase of capital under the circumstances supposed, must necessarily be true of an increase of capital under any circumstances. If, therefore, capital continues to increase, and wages to rise, the demand for labour will continually diminish, and we may in time expect to see capital so plentiful and wages so high, that there will be no demand for labour at all! At the close of this lucid exposition, the Reviewer cracks a bitter joke upon Mr. Malthus. "The theory on the subject," says he, "is very simple and clear." The reader, perhaps, thinks that the Reviewer himself has afforded as striking a proof as could be desired of the clearness and simplicity of the subject; since, in spite of all his attempts to explain it, he has not succeeded in rendering it altogether unintelligible.

Although the three great fortresses of the "new school" are now utterly demolished, there remain, it would appear, certain

outworks, from which it is still deemed necessary to dislodge them. One of these is the doctrine of the impossibility of a general glut. Having gone into this question at some length, in the article on War Expenditure in our third number, we shall not at present repeat the arguments which we then urged; but the contrary side of the question is here supported by an argument which, for its strictness and relevancy, is worthy of notice. Mr. M'Culloch having said that for every excess in one commodity there must be a deficiency in another, the Reviewer observes, that this strikes him as peculiarly illustrative of the impracticability and inapplicability of some of the doctrines of the new school. "For," says he, "we would appeal to the experience of every person who, without being biassed by some previous prejudice, had turned the smallest attention to the subject, whether at the time when a general glut was talked of, there was the least ground for the assertion, that, although the state of the trade in cottons was ruinous, the capitalist engaged in making broad cloths or silks, or some other article which would absorb a large capital, was in the most prosperous and flourishing state, and inviting additional stock by high prices and high profits. This assertion of corresponding deficiency, as applied to what is known to have taken place since the peace, appears to us," he facetiously observes, "as strange as if it were gravely asserted, that every man in the streets of London who was observed to have his head covered, would be found upon examination to have his feet bare. . . . We will venture to say, no one ever heard, as a matter of fact, from competent authority, that for some years together since the peace there was a marked deficiency of produce in any one considerable department of industry"—p. 330.

The *naïveté* with which he thus proposes to rebut demonstration by testimony, is truly amusing. There is nothing, says Cicero, so absurd as not to have been maintained by some philosophers; and it may be said with equal truth, that in political economy there is no opinion, however absurd, whether on a question of fact or of principle, which may not easily be proved from "competent authority." We are bold enough, however, in spite of "competent authority," to think that every one desires to consume to the extent to which he produces. If he did not wish to consume either that which he produces or an equivalent, he would cease to produce. But the demand of the community is made up of the demands of individuals: and if every individual have a demand exactly equal to his supply, so also must the demand of the whole community be equal to its supply. To say that there can never be a greater sum total of commo-

dities produced than the community wishes to consume, is merely to say in other words, that people will not consent to labour without a motive. The commodities, therefore, which are produced, cannot, collectively considered, be in excessive quantity, though they may be of the wrong kind. Too much may be produced of one commodity; because, though all want some commodity, all may not want *that* commodity. But as there cannot be an excess on the whole, if there be too much of one commodity, there must be too little of another. This reasoning is so clear and convincing, that the idea of disproving it by a reference to "competent authority" could have occurred to no one but a Reviewer, who wishes to aim a side blow at the cause which he professes to defend, and in behalf of which he insinuates (in this instance justly) that there was nothing better to be said.

There is an attempt to prove, in opposition to Mr. M'Culloch, that labour, employed in agriculture, is more productive than labour employed in any other branch of industry; which, if it be meant as a joke, is so very dull a one, that if we could reconcile ourselves to a supposition which speaks so little for his intellect, we should be half inclined to suspect that the writer is in earnest. By wealth, we can understand nothing but necessaries, comforts, and enjoyments. How is it possible to say whether agriculture, or manufactures, be most productive of wealth? unless it is pretended to determine whether food or clothing be most essential to the happiness of man. But manufacturing capital, it seems, yields no more than the ordinary profits of stock; while agricultural capital yields not only profits but rent. True; but rent (if Mr. Malthus's explanation of it be correct) is the effect, not of the *greater* fertility of the soil, but of the *unequal* fertility of different soils; not of the *superior* productiveness of agricultural, over every other capital, but of the *unequal* productiveness of one agricultural capital and another. So far is rent from being a proof of the superior productiveness of agriculture, that rent is highest when the productiveness of agricultural capital is the least; and when that productiveness is greatest, that is, when none but the best land is in cultivation, and when the return to capital from that land is at its highest, there is no rent at all. At that time, according to the Reviewer, the productiveness of agricultural and manufacturing capitals should be equal, and it is afterwards that they become unequal: but in what manner? Does agricultural industry become more productive, or manufacturing industry less productive? Quite the contrary. As cultivation advances, the capital first applied to the land does not become more productive than at first, while all capital subse-

quently applied is less so; nor is the productiveness of manufacturing capital diminished, but, on the contrary, it is probably increased by the invention of machinery and other expedients for abridging labour. If, then, at a time when there is no rent, agricultural capital, even that portion of it which yields the greatest return, is not more productive than capital employed in manufactures, it is difficult to see how the case should be altered by a mere change in the distribution; when the whole produce is no longer retained by the capitalist, but a part of it is given to the landlord.

We are aware, that, by arriving at this conclusion, we have laid ourselves open to the charge of "sweeping generalizations," which our author deems "fatal to all clear explanation" [p. 306]. However well-founded this censure may be, we think our remarks may bear, to say the least, a favourable comparison with his, in this respect; for, whatever may be our propensity to "sweeping generalizations," we doubt whether we have produced any thing so "fatal to all clear explanation" as some of his paragraphs. We have already had occasion to remark on the peculiar taste which this gentleman seems to entertain for the incomprehensible; we might easily have adduced a greater number of specimens, but we have not room to transcribe the whole article into our pages. If, indeed, it be a merit to puzzle what is plain, to render intricate that which is simple, obscure that which is clear, and difficult that which is easy, it would be hard to find, in the whole circle of Political Economists, one with whose merits he might not vie.

But our readers have probably had enough of this merry writer; and so have we. We cannot, however, conclude, without expressing (together with our sincere gratitude for the amusement which he has afforded to us) our anxiety (which, we hope, he will not consider unpardonable) to know whether he excels as highly in the serious as he does in the jocular mood. We hope that his genius will not prove to be of that kind, which can shine only in a single department of the field of human attainments. Having shown, when he unbends himself, and condescends to be facetious at the expense of a brother economist, what a pitch of perfection he can attain; perhaps, when he next takes up the pen, to indite an article for the Quarterly Review, he may agreeably surprise us by writing common sense.

ART. X. *Quarterly Review.—Articles on Greek Literature.*

THE orthodox in politics and religion have long and loudly complained, that jacobins, revolutionists, levellers, factious rebels, and cold, heartless, infidels, as well as all others with the names of ill omen which designate such as do not subscribe the great article of orthodoxy, viz. that whatever is in the nineteenth century is good, and could only be made better by being brought back to the standard of the twelfth, are wont to occupy themselves little in openly avowing their dissent from this canon; and that they the said rebels and infidels seldom publish works, entitled, The Complete Jacobin, The Ready Revolutionist, The Young Man's best Leveller, and so on, where their erroneous principles, being fairly stated, might be easily answered; but that they secretly poison the fountains of knowledge, the encyclopedia, the novel, and the grammar, and delight to fill even the page of history with snares for helpless, hapless innocence.

It cannot be denied that, in the last century, if not before, certain historians have put together facts in such a manner, that, to a cursory reader, popes seem to have been sometimes fallible, kings to have done wrong, and subjects occasionally to have defended themselves by offending their betters after considerable provocation. The prudent general condescends to learn even of his enemy: an ill-spelled, and worse written History of Greece was accordingly put forth, filled in boundless profusion with that mis-representation, which had been attributed to works of a different tone and character; but of the battalion hereafter, and in another place; let regular troops oppose the march of the heavy columns, the affair is now with the light skirmishers. For some years a *guerilla* force has continued to harass the Greeks on all sides, and irregular incursions have been made, at least twice a year, into the classic land of liberty; every alternate number of the Quarterly Review has assailed, by an illegal and predatory system of warfare, those whom the assailants themselves term "the most extraordinary people which the world ever saw;" because the Athenians had one great sin that obscured all their glories, liberty of speech, and because even the charity of the Quarterly Review, which can pardon much, cannot pardon free discussion.

One formidable difficulty in meeting the perversions of history prevalent in this Review, results from the nature of misrepresentation, which, amongst many other unfair advantages, has this, that he who would expose it, is compelled to be so prolix as to fatigue the attention.

The magnitude of the mass of calumnious matter presents another difficulty; the ten or twelve articles would alone form a thick volume; if each false assertion were separately examined, every mis-quotation, every mis-translation, regularly corrected; if the remainder of the truth, where a part only has been told, were supplied, in order to put the reader (let us conceive for a moment the existence of such a patient creature) in possession of the whole truth, upon the supposition that the refutation would not be more than twice, or thrice, as long as the original work, which is a moderate calculation, a bulky vindication would ensue, which would necessarily be of considerable dulness; and as alien from the nature of a man of taste and imagination, as even a sermon has always been esteemed; "*Quid homini poetæ cum sacris concionibus?*" All, therefore, that can be required in this transitory existence, is, that some one subject should be selected, in which certain doctrines are distinctly stated, and attempted to be proved by citations from ancient authors; that the authorities should be carefully examined and shown not to support those doctrines, and thus an inference will be raised, that, if in one important instance the witness distinctly deposes to a palpable falsehood, the general reader can have no security that his testimony is worthy of credit in others, and that no reliance can safely be placed on him. A few observations may likewise be premised, calculated to point out the general tendency, style, and spirit, of the articles in question. Should these preliminary observations appear to be somewhat discursive, and to wander without method from page to page, and from article to article, it must be remembered, that a general view of any subject is only to be obtained by removing the eye to such a distance as will embrace an extensive field of vision, and by suffering it to pass lightly over the various parts in succession; that it can seize only the most prominent objects; that it can dwell on these but for a moment, and that it cannot scrutinize any with an accurate and curious distinctness. The necessity of things, therefore, and not a love of vagrancy, still less the sin of negligence, is the cause of these introductory wanderings; for on this, and on subsequent occasions, whenever it shall be deemed expedient to assert the truth of history, and to advocate again the cause of Greece, any single subject being selected, it will be investigated with such constancy and minuteness, as will perhaps seem tedious to the less patient reader, and can be justified only by the importance of the controversy.

Two peculiarities in the Athenian system of affairs have provoked hostility: the one, the inveterate habit of doing without a king; the other, the perfect freedom of discussion, which ex-

isted at Athens. The abstinence from monarchical government might be, in some measure, excused by the well-known story of Codrus, which is shortly told by Justin, in these words, "There were between the Athenians and the Dorians old grudges and jealousies, to avenge which the Dorians undertook a war, and consulted the oracle as to the event of the battle. It was answered that they would be the conquerors, unless they slew the king of the Athenians. When hostilities commenced, the soldiers were commanded above all things to be careful of the king. At that time Codrus was king of the Athenians; who, having learnt the answer of the oracle and the commands of the enemy, laid aside his royal habits, cloathed himself in rags, and entered the enemy's camp with a bundle of faggots on his shoulder: there, in the midst of an opposing crowd, he was slain by a soldier whom he had intentionally wounded with his sickle. When the body of the king was recognized, the Dorians departed without fighting. And thus the Athenians were delivered from war by the valour of their general, who offered himself up to death for the salvation of his country. After Codrus there were no more kings at Athens, as a tribute of respect to his memory, but the administration of the state was intrusted to annual magistrates." The modest reasons of the Athenians for declining a kingly government, because it was too good for them, and because they would not be overwhelmed with the gratitude due to kings like Codrus (they could expect to have no others) ought to appease the critic. But the citizen of a republic, whether he inhabit Attica, or the United States of America, is a miscreant, and is placed out of the pale of social intercourse by the Reviewer.

The subscribing to articles, and the assenting to creeds, is pernicious in intellect and morals; and since these practices have prevailed, and especially wherever they have been most prevalent, the understanding has never reached to a healthy stature; nor has the conduct been directed by steady principles of action, or the character formed upon a rational and well-considered model. He who is unwilling that a doctrine should be freely discussed, if he does not absolutely disbelieve it, suspects that disbelief will probably soon follow discussion. A doubt as to the propriety of our conduct makes us intolerant. A drunken party is intolerant; the door is locked, bumpers are enforced by penalties, and under pain of salt and water; the most furious oaths and violent denunciations are hurled against all who show an inclination to secede from bad wine and worse society; they are excommunicated, put without the pale of the church, and, as it were, laid under a papal inter-

dict, because the company have a guilty consciousness that, not the seceders, but themselves are in the wrong. We cannot doubt that the fox without a tail in the fable was an intolerant animal; that he would have cut off, not only all the tails of all the foxes, but also the heads of seditious and impious animals, who should question the propriety of amputating the brushes of their species, and should doubt whether that organ be in anywise useful or ornamental; whether a lack of tail be not part and parcel of the vulpine nature; or, at least, all such as should revile and hold cheap the incoherence of fox and brush, and would not calmly discuss, like controversialists, the idea of a fox in the abstract, of which calmness he, still smarting from the teeth of the trap, would be the only judge.

All who are acquainted with the mazes of the human heart know, that man, that is, reasonable, cultivated, intellectual man, set apart to teach and govern his fellows, reasons with himself thus: If John says I am a Yorkshire-man, I answer, No; my mother is alive, and she can bear witness that she brought me into the world at Bristol; I can triumphantly refute him, and also show that John knows my mother and the history of my family intimately, and thus prove that John knowingly utters a falsehood concerning my birth. If George says, that I am a rat and a turncoat, I must knock him on the head, and supply the defect of exculpatory evidence by a well-timed blow. John says, that I never wrote or printed any work whatever; I mildly ask him to call on my publisher, Mr. Murray, in Albemarle-street, and I have no doubt that he will show him in his extensive warehouses many thousand volumes of my poetry and of my prose. George asserts, that my poetry is neither here, nor there; any thing, or nothing; that my prose is a mass of shreds and patches, torn from old books, deemed unreadable in their day, and tacked together without end or purpose, like a sick man's dreams. Alas! how can I confute the enlightened critic? shall I fire his stacks, ham-string his cattle, break his hedges, shoot his pigeons, poison his cat? Shall I suborn some of my fair friends falsely to swear certain particulars respecting him, that he may be harassed with orders of maintenance? The editors of the Courier and of John Bull are too respectable to permit me to write his name upon their several gibbets, and to publish daily, or even weekly, slanders concerning his wife, or his daughters; for if I could once call him a cuckold, or the father-in-law of a cuckold, in print, every body, or at least all the orthodox, would believe that I am the first poet of the age. The judges of the land are good, honest, upright men, and, as such simple, credulous, and unsuspecting: could I hope to

make them my dupes, to make them believe, that my poetry means and intends the constitution of Great Britain and Ireland, as by law established, and my prose also means and intends the Holy Scriptures, my business would be done, and my good friend George should rot in gaol; but, no! I must content myself with petty mischiefs—success is too hopeless, the thing incredible, and the attempt perilous.

That the republican form of government, and the freedom of discussion, are the chief causes of the Reviewer's hostility, is so obvious in every page, that it will not be necessary to adduce any formal proofs: it will indeed often appear incidentally from passages cited for other purposes. Of the lesser qualities of this writer, it is remarkable, that the style itself is an habitual falsehood, of which let one instance suffice. "For a confirmation of this opinion, we refer generally to the writings of Dionysius of Halicarnassus, and more particularly to his treatise, *De Compositione Verborum*, a delicious piece of criticism; but which gives less pleasure, perhaps, from the information it imparts, than it does mortification, from showing us, how much there is in antiquity which we can never thoroughly appreciate." A *delicious* piece, which gives less pleasure than mortification. His productions are rich in the choicest quaintness of pedantry. A person, laudably desirous of making his son a good scholar, inquired of one, who, by dint of reiterated assertions, and by nothing else, had acquired the reputation of being a great Grecian, and who possibly may be nevertheless, what course to pursue in teaching his son Greek: he was desired above all things to make the boy pay particular attention to the accents; a branch of knowledge only remarkable for its utter and hopeless inutility. Thus our Reviewer, in No. 51, p. 246, calls upon Mr. Dalzel, the son of the late Andrew Dalzel, A. M. F. R. S. E. professor of Greek in the university of Edinburgh, to omit certain passages in a certain book, because one Alexander Stuart, a natural son of James IVth, was a native of Scotland.

In an article, in No. 49, p. 154, on Mitford's History of Greece, which unites the poverty of a Prize Essay with the arid pedantry of a college tutor, he puts forth some points of a truly ludicrous quackery; the grand leading principle, 'down with discussion,' being meanwhile steadily kept in view. In a collaudation of the Greek tongue, the Reviewer vapours thus:—

'For how much of its substance is it indebted to its own writers, and for how much to the authors of more eastern countries? Can it be satisfactorily proved to have been derived from the Sansorit; and, if so, how was the transmission effected; by conquest or by commercial intercourse? That there is a remarkable similarity between the two idioms appears

extremely probable. The study of the Sanscrit, which is becoming *fashionable* both in England and in Germany, may, at some future time, enable us to solve the difficulty.'

And thus—

'We know that there exists a striking resemblance between the mythology of India and of Greece. This has been proved by sir William Jones; and the Idealism of Plato may be nothing more than a copy of the Maia of the Bramins.'

He then hints that "the incomparable tongue" was a misfortune to the wearer as it led him into discussions.

'We would remark—how its endless variety and imperceptible changes contributed to engender that passion for metaphysical discussion, that power of arguing upon nothing, which the sophists possessed, without regard to truth, or probability, or reason; and how it in that manner contributed to degrade both the minds and morals of the speakers.'

To discuss and argue is that sin which is never to be forgiven; but, like all sins, it brings its own punishment with it, a degradation of mind and morals to the vile and free; as the virtue of blind, unlimited, passive obedience, exalts, dignifies, and rewards the nobly subservient.

'It would be a curious inquiry,' continues the Reviewer of Mitford, 'to ascertain how far the language was influenced by the government, or the government by the language. The effect of language upon political institutions is certainly very great, and the Romans were fully aware of its importance, by diffusing the use of their own wherever they extended their conquests.'

That the introduction of the language of the conquerors would tend to unite the conquered into one nation is most certain, inasmuch as speaking the same language, whatever that language be, is a powerful bond of union; as living in the same house, whether of brick or stone, sometimes is; as dining at the same table, whether of mahogany, or oak; as sleeping in the same bed, whether under one, two, or three blankets. The Reviewer, however, seems to go further, and obscurely to hint, that there is some charm in a particular tongue, and that speaking Latin peculiarly fitted the speaker for the purposes of the Romans, not so much because it was their own language, as from some occult quality in Latinity itself. That if he, happily for mankind, were to apply the resources of his mighty mind to the inquiry, a discovery would result, why, from speaking Hebrew for a few months, an insurmountable appetite for the sale of scrip and of old cloaths would be generated in the speaker; and how, by the rapid articulation, or rather utterance,

of the ancient British language for a few weeks, the tongue would require a new and Cambrian relish for toasted cheese, and would yield itself up, a more easy captive, to the allurements of the better and sleeker ales.

The Reviewer's notion of *consequential reasoning* is singular and beautiful.

> 'In all countries we presume there prevails a common difficulty of finance; the subject endeavouring to pay as little as he can, and the executive *consequently* endeavouring to obtain as much as it can.'—No. 51, p. 256.

In all countries cats have an unaccountable aversion to school-boys, and shun them in the strangest manner; the latter *consequently* are compelled to hang and drown the former, whenever they can catch them, and to knock them on the head with a stone, or a brick, or sometimes possibly with a detached portion of the latter substance, under the trivial appellation of a brick-bat. Birds also are addicted to the very absurd practice of building their nests in secret places, and of concealing them in hedges, old walls, and hollow trees; young persons *consequently* must seek for them, blow the eggs, and thread them, like beads, upon a string. If ever there was a struggle in which the end proposed would justify the means, it was the contest of the Republic of Holland with the Spanish Monarchy. Most of the accustomed modes of taxation having been resorted to, in order to provide additional funds for carrying on the war, a considerable reward was offered to any one, who should devise a new tax the least injurious in its effects. Among many other taxes the stamp-duty was suggested; and, having been approved of, it was introduced by an ordinance issued in 1624, setting forth its necessity, and the benefits which it was supposed would result from its imposition. Since that period stamp-duties have become almost universal, and a certain perfect government is *consequently* compelled to maintain a wasteful and unnecessary expenditure, by a tax, which, by making proceedings at law costly, prevents an injured party from seeking redress in a court of justice, and, by polluting the margin of a newspaper with a rude red representation of certain vegetables, in a style of execution which would disgrace a Herbal published by Esquimaux, considerably impedes the best vehicle of public opinion, and the most useful check upon public men.

It cannot be denied that something unknown may often be not unduly inferred from what is known, as for example; Alexander the Great used to say, when his mother was teasing and troublesome—"What a heavy rent she makes me pay for my

nine months lodging." βαρυ δε το ενοικιον των δεκα μηνων εἰςπραττεσθαι αὐτῆ τὴν μητέρά. Although, perhaps, we would not hastily infer, that a man might conquer the world, because he could make such a joke as that, yet we see plainly from this scrap of his mind, that Alexander was no inconsiderable wit, and, what is more, that he was an agreeable fellow, and therefore likely to win others to his purposes; for, when the dull whining bigot, whom all men shun, has recourse to dreary, superstitious cant, the man of a more elegant mind seeks shelter from the pelting wrath of the skies under some goodly jest, and pours forth his exasperated soul in all the anguish of pleasantry.

We could believe some things, also, although unsupported by historical evidence; for instance, that the Lords High-Chancellors of England were originally popish priests; because no man, except a priest, would have had the presumption to dispense with the laws of the country under the pretence of what he chose to call equity and good conscience. But the Reviewer far outruns all sober deductions; his perfect familiarity with the lost works of antiquity is præternatural, and, if it had been exercised a few hundred years earlier, it would have subjected him to adoration, as a worker of miracles; or to the fire, as dealing with the powers of darkness; but more probably to the latter, for a knowledge of things lost is attributed, even at this day, to persons whom the vulgar call cunning men; who, as they suppose, are receivers of inspirations from the devil, and of stolen goods. We cannot doubt that this cunning man can repeat *verbatim* all the lost tragedies of Euripides, and that, if he were civilly asked, he would not hesitate to tell, how often any particular word, as for example the preposition κατα, occurred in a lost comedy, the Niobe of Aristophanes; and how often the same word was understood in that same piece. That he could easily grant this small favour, if in a good humour, is plain from many passages:

> 'The sons complained, that their fathers expended more on the state than they did on their own families—*if more of the* λογοι απογραφικοι *had come down to us, this assertion would have been still more confirmed.*'—No. 51, p. 259.

He speaks, indeed, so confidently of things unknown, that we are almost tempted to suspect, that his ignorance and his knowledge are so much alike, that he cannot distinguish between them; and, as he imagines that he knows perfectly, what cannot possibly be known, to infer that he is perfectly ignorant of what he might easily learn:

'Had the philosophical poems of Empedocles come down to us, it is probable that we should have found in them *a golden link* to let us down from the eloquence of poetry into the eloquence of prose.'—No. 54, p. 384.

If *one link* only be wanting, unless his person be more unwieldy than his style, he might let himself down without the help of Empedocles from the eloquence of poetry, whatever that be, into the eloquence of prose, whatever that be; and if he did not like his new position, he might return to the eloquence of poetry again; but the good gentleman has no such wish.

How often are the admirers of the Quarterly Review reminded of the nursery rhymes—

"A man of words and not of deeds,
Is like a garden full of weeds."

And by the mode in which *consequences* flow from what has gone before of the *consequent* lines—

"And when the weeds begin to grow,
He's like a garden full of snow;
And when the snow begins to thaw,
He is like a garden full of straw."

By treating the crimes and weaknesses of human nature as peculiar to the Greeks, he artfully endeavours to cast a shade over the Greek character:—

'That which shews how soon a Greek litigant began to strain the laws to his own feelings.'—No. 54, p. 390.

We might as well blame the Athenians for permitting the tooth-ache to torture their argumentative mouths, and allege in accusation, that when any of these detestable democrats, who was not accustomed to the sea, went on board ship, he basely suffered himself to be afflicted with a most distressing sickness; the countryman of Pericles turned pale and lost his appetite, and the hateful slave of the worst of tyrannies, a mobocrasy, for some hours, perhaps we may say for some days, was thoroughly uncomfortable.

We may detect an inward feeling in the fulsome praises outwardly bestowed on the ancients, that they wrote and acted very well, considering that they had not been at Oxford or Cambridge, or, rather, at some one of the fashionable colleges in those Universities; that they were not members of the reformed Protestant, Orthodox, High Church; that they had not been refined, by the ages of chivalry, in their notions of love; that they were not countrymen of Pitt, Fox, and Burke; that they did not enjoy the costly luxury of a kingly government;

and the security of a full, fair, and free representation, working well in practice; and so forth, according to the most approved sing-song of our modern slang.

It is remarkable, that all these articles appear to have been composed under the overwhelming influence of a most ludicrous terror; ludicrous, if really felt, as presenting to the imagination a curious picture of a man of strange infirmity of nerve, and not less ludicrous, if affected, from the unexpected similarity that exists between the stoutly orthodox and the fine lady. If she is bound to shudder at the mention of blood, and to faint upon the demise of a fly, he must necessarily fall into convulsions at the word freedom, and become, as it were, hysterical at the idea of discussion. It is often difficult to discover from a frightened child, for very roaring, the cause of alarm; thus, with the Reviewer, so great is the outcry, so loud the hubbub, so stunning "the sound of his trumpets and shawms," that an answer is not readily obtained to the question, "what are you afraid of, Dear?"—He runs to tell Mamma of Lysias, and tells his tale in these words;

'Lysias, a man who, with all the graces of language upon his lips, had all the fury of a republican in his heart, and in whose writings may be traced all the wishes, feelings, and politics of the mob, from the inmost workings of the thoughts, to the desperate and atrocious deeds, which gave to those thoughts vitality and effect'—

In the midst of all this blubbering, being asked, "What has he done to you, what has he done to Mamma's Pet?"—After much sobbing, and much rubbing his eyes and his nose with his dirty knuckles, it turns out, that the chubby simpleton has been terrified out of his wits by a phrase, used to denote "the majority of you," or some such notion equally innocent.—"Τῷ ὑμετέρῳ πλήθει—To the sovereign multitude." This favourite expression of Lysias, translated literally, signifies your Manyship, or your Mobship. He might as well have said, it means, Down with Reviews! Reviewers *à la Lanterne*! *Christianos ad Leonem*! "A certain field is not noble, as that of Marathon itself!" or any thing else likely to inspire terror.

Scurrility is such an essential part of orthodoxy, that when a writer is called orthodox, he is, of course, supposed to overflow with the most virulent and vulgar abuse; the task of making a collection of such words as, "*fool*"—"*villain*"—would therefore be as unnecessary as it is unpleasant.

The attacks on the Athenians, which are in general vague and diffuse, in a late article on the Panegyrical Oratory of Greece, contained in No. 54, are brought to an issue, sufficiently plain, and comparatively short; it is there asserted that

Isocrates, in a certain oration, praises democracy in a style of transcendant excellence, and with a grave face; but the Reviewer, questioning the orator's veracity, undertakes to prove, that he was not in earnest, and that, as his hearers well knew, the oration was, to borrow the Reviewer's expression, A GREAT LIE.

The assertion is concise and distinct; let us, accordingly, proceed to examine it, and let the Reviewer's credit be determined by the result of our examination. One of the most cruel effects of misrepresentation is, that it constrains well-intentioned persons to be long-winded; it is indispensably necessary to copy a considerable portion of the article, and even to intreat that to be read with attention.

'We believe it was the French mathematician Le Sage, who, when his day's labour was concluded, invariably dressed in full costume; and then to the tones of his valet's violin (himself in gala dress) the good man, with a large bouquet at his breast, used to dance the Minuet de la Cour. As Science closed her day's labours in France, so it appears to us that the Panegyrical Oratory must have begun hers in Greece. We never think of Isocrates, her principal favourite, but our minds insensibly slip over twenty centuries, and he is visibly manifested to us at his studies in the severest costume of modern days, ruffles, bag-wig, and sword; every cut in his coat anatomically arranged, and every plait in his linen as virtuously correct, as if morality had applied the crimping irons. On one occasion, the unwearied man is supposed to have preserved this attitude for ten years, and then to have left his study, as if it had been his dressing-room. The result of this "séance extraordinaire" is now in our hands, and a noble performance it certainly is. Like Goldsmith's Mr. Crispe, it is somewhat *oriental* in its turn of expression; but then the "bounce" is made with so grave a face, and in so magnificent a tone, that none but cold-hearted people like ourselves would ever think of questioning its veracity; and its praises, more particularly of democracy, are in such a transcendant style of excellence, that to translate them with spirit, might cost half the sovereigns of Europe their crowns.

'To prevent this catastrophe, let us bestow a few moments' attention on the Panegyrical Oratory, both as to its outer and inner form. A little sober examination may perhaps tend to show, that its vehement praises of ancient democracy are less at variance than might at first be thought with our own recorded opinions on that subject; and in building up this species of oratory, like the Russian ice-palace, only to dissolve it into thin air as soon as it has served our purpose, we shall perhaps impress upon our readers, that very idea of the splendid pageant, which its authors themselves intended to convey.

'And first for the Panegyrical Oratory in its outward form. It was into this branch of the art that the Greeks threw all the powers of a language, compared with which, as Voltaire observes, all succeeding tongues have been like the croaking of crows compared with the songs

of nightingales, and allowed themselves ample compensation for that abstinence of imagination, to which they rigidly submitted in their Stricter Oratory. The Panegyrical Oratory was not merely art, but the ostentation of art; it was not plenty, but luxuriance; it was lusciousness, rather than sweetness; profusion, rather than liberality. Diction as bold as that of poetry itself; rythm that bordered on the very confines of metre; the most elaborate opposition of sentiment, and the most polished balance of sentences; every artifice, in short, which could not merely satisfy, but satiate the ear, was allowed to this favourite branch of the art. And the inner form and substance, adapted itself to the outward frame and structure. In the Panegyrical Oratory, all the ordinary rules of composition were suspended, or thrown aside. To diminish the great; to magnify the small; to dress up in a new form what was ancient, and to give an air of antiquity to what was recent,* were privileges which she claimed, not merely as occasional licenses; but as her birth-right, and ground-work of existence. There are times when even the gravest among ourselves consider that a happy moment which throws them back into the feelings of infancy; and the Oratory, of which we now treat, formed part, as will be seen hereafter, of a season of festive mirth and geniality, when wisdom in her severest garb would have been ridiculous, and when the intellect itself, if we may so speak, was allowed to be in that very sort of state of boyhood, which Longinus makes a subject of complaint.

'Anticipating with almost prophetic view, that Greece would ever remain the central point of civilization to the world, the Orator took care, that the leading state of Greece should be dressed in the gaudiest of colours; and it was accordingly declared, that what had not immediately descended from heaven to bless mankind, had come to them from Athens; for Egypt was as much forgotten on these occasions, as the ladder which the ambitious man kicks from under him, as soon as it has served his purpose of rising in the world. It was too notorious, indeed, that Athens had *invented* little more than the drama, for her to claim this praise unquestioned; but there is a way of stating things without absolutely asserting them, and this the Panegyrical Oratory well understood: τας μεν ευρεσα, τας δε δοκιμαζουσα, is therefore the mode of establishing this part of the praises of the imperious metropolis of Greece, as if what she had not herself invented was of little worth, till her stamp of acknowledgment had been set upon it. With history he took a bolder step. Seizing upon a number of traditions, all small in themselves, or of which the individual chronology was very uncertain, the Orator boldly put the fragments together, and pronounced the pretty piece of Mosaic to be the early history of Athens. Paradox, above all things, was his delight; he raised or diminished

* 'Isocr. in Paneg. 1, p. 100. From the ridicule which Longinus (sect. 38.) throws upon this passage, it is not impertinent to say, that that eminent critic had wholly mistaken the nature of the Panegyrical Oratory.'

numbers * as he pleased; he altered periods and events† as suited his purpose; and, for so doing, he appealed only to one arbiter, the ear. Leaving truth as a domain for the advocate and the senator, the panegyrist claimed for himself the land of illusions; he plunged into the mythological tales of his country, and rioted in all these enchanting fables which delight us in infancy, and which return with double force upon our manhood, when experience has taught us, that there is little new, or interesting, and that the world, that growth of 6,000 years, displays some of her best attractions in her cradle.

'It is to two speeches of Isocrates (for these, with a fragment of Lysias comprehend the whole of this species of oratory now left us), that the reader must look for a fuller development of these opinions, than we can now afford to give; and we have no doubt, that an attentive consideration of the notices scattered about in the speeches themselves, and a comparison of the assertions of Oratory with the recorded facts of history, will bring a reader to the same conclusions as ourselves. As to any weakening, which the argument might receive from the authority of Longinus, we beg to oppose the opinion of another great critic of antiquity, who, if he wanted something of the exquisite taste of Longinus, had, at least, an equal share of his judgment. In speaking of the style of Demosthenes, Dionysius asserts as we did, without being aware that we had so good an authority for the opinion, that it was a style formed out of the best models of every opposite species of style, worked up into one common and consistent texture. But, when, in this description of opposite styles, we find *Panegyrical* opposed to *veracious*,‡ just as grand to simple, loose to compact, or austere to cheerful, it seems pretty conclusive, that the critic of Halicarnassus allowed of the same difference between the Panegyrical, and the other two branches of Grecian Oratory, which it has been our object to establish; that he felt, in short, that the Panegyrical Oratory was in prose, what the Aristophanic comedy was in verse, A GREAT LIE; that

* 'It would carry us far beyond our limits, to give proof of all these assertions; but one will serve instead of twenty. There is no circumstance in Grecian history, more known, or better ascertained, than the arithmetical number of Greeks who achieved the celebrated retreat under Xenophon. This numerical account, it suited the purpose of Isocrates on one occasion to conceal; he accordingly at once diminishes it from ten thousand to six; and as if this were insufficient, he adds, 'and these were not picked men of Greece; but men, who from poverty, or flagitiousness, had not the means of living in their own country.'

† 'A curious proof of this occurs in Isocrates's Panath. ii. 271; where the Orator confesses, that he has altered some historical facts, or what were considered as such, for the purpose of improving some political arrangements between the Athenians, and their general enemies, the Thebans.'

‡ Εξ ἁπαντων δ'αυτων ὁσα κρατιςα ϗ χρηςιμωτατα ην, εκλεγομενος συνυφαινε, και μιαν εκ πολλων διαλεκτον απειτελει, μεγαλοπρεπη, λιτην· Περιττην, απεριττον· εξηλλαγμενην, συνηθη· ΠΑΝΗΓΥΡΙΚΗΝ, ΑΛΗΘΙΝΗΝ· αυ-ηραν, ἱλαραν· συντονον, ανειμενην· ηδεταν, πικραν· ηθικην, παθητικην. Κ. τ. λ, Περι τ. Δημοσθ. Δεινοτητος. p. 167.

both speakers and auditors knew it to be such, with this difference, that the dramatist's lie was directed to the imagination, and his truth to the judgment; while the orator was allowed to play the trickster, both with the judgment, and the imagination. And, indeed, upon what other principle can we explain the contradictions, which, without this easy solution, meet us in every page of Isocrates? We have been in the habit of passing some reflections on the Greeks more severe than is agreeable to our own taste, and in the necessity of justifying them; we know no ancient writer to whom we might with more propriety have recourse than to Isocrates. Had it in the same way been our duty (which it was not) to hold up democracy and Athens to approbation, we could have dressed up both in the most glowing colours from this very writer. How is this contradiction to be explained? By a very simple process, the reproaches of Isocrates occur, where he writes for the closet; the praises, when he was composing, as we shall presently see, for the public festivals of Greece, or the private festivals of Athens: in the one instance, he spoke in all the admitted license of fiction; in the other, he wrote like a man of honour and veracity. We must always, in short, distinguish between Isocrates, the Pamphleteer, and Isocrates, the Rhetorician; as no man could turn a compliment with more address than he, so no man could tell wholesome truths with more courage, yet, withal, with more candour and discretion.* If satire ever occurs in his Panegyrical Oratory, it is always under a covert form, and is insinuated as what "our ancestors" did not do. As long as "our ancestors" imply the heroes of Marathon and Platæa, we have nothing to object to the assertion; but, besides her stately step, the Panegyrical

* 'We had some thoughts of collecting a set of opposite passages from Isocrates, for this purpose; but it would have led us too far. The real state of Athenian supremacy (and to enforce the claim to this supremacy, was one of the great objects of the Panegyrical Oratory) is thus truly detailed in a few sober words of Andocides. "The time was, when our city possessed neither walls nor ships; but with the acquisition of these two articles originated all our prosperity; and if that prosperity be still an object of ambition, we must look to these two materials as the instruments of it. Upon this principle our fathers set out, and upon this foundation, they created such a superstructure of power as no other city ever possessed; employing for their purpose, as occasion might require, PERSUASION, STRATAGEM, BRIBERY and VIOLENCE. As an instance of the first, I mention that proceeding which made Athens the common deposit of the treasures and fleets of Greece; as an instance of the second, that artful trick practised on the Peloponnesians, when our walls first rose; for a proof of bribery, I need no other appeal than to the sums expended at Lacedæmon, as a preventive against the vengeance which awaited these proceedings; and the sway which we hold over universal Greece, is the best proof of the fourth." In the Panegyrical Oratory, all this passed off in a well-rounded period, which informed the auditors, who no doubt kept their gravity, "That for seventy years, their wise guidance had kept the allied states of Greece in perfect repose." When people are bound hand and foot (and Athens so bound her allied states) it is difficult for them, as Wieland observes on the passage, to be otherwise than in a state of repose.'

Oratory had a large mouth, and a far vision, and "our ancestors" were soon found at as dim and convenient a distance, as any new family could wish the genealogical trunk to be, from which are to sprout out for them the honours of antiquity.'

The proposition, that the Panegyrical Oratory is *a great lie*, is here attempted to be proved by these four passages: Isocr. in Paneg. 1, p. 100; Longinus, s. 38; Isocrat. Panath. 2, 271; and Dionys. Halicarn. p. 167; and also by a fifth passage, about the ten thousand Greeks, which is alluded to but not cited. Let us consult each quotation in order. First, to prove the assertion, "In the Panegyrical Oratory, all the ordinary rules of composition were suspended, or thrown aside! To diminish the great—to magnify the small—to dress up in a new form what was ancient, and to give an air of antiquity to what was recent, were privileges which she claimed, not merely as occasional licenses, but as her birth-right and ground-work of existence," a passage is cited from the Panegyrical Oration. It is, unfortunately, impossible to show how entirely erroneous the Reviewer's statement is, without giving the whole context, for the passage quoted is firmly embedded in the exordium of the oration. If the large explanatory citation appear tedious, it will amply repay the reader, as this single example will put him completely in possession of the whole art and mystery of perverse quotation; a powerful weapon against the careless and unsuspecting. The exordium is in these words—"I have often wondered at those who brought together the assemblies, and who instituted the gymnastic contests, because they have thought a good condition of the body worthy of such great gifts, but to the persons who have laboured hard in private for the public good, and who have trained up their own minds in such a manner, that others might profit thereby, to these persons they have assigned no marks of honour; for these very persons it seemed most probable that they would make the most provision. If we suppose that every pugilist and every wrestler had obtained twice as much bodily strength as he now possesses, yet other men would not in any manner profit thereby. But if one single individual were to become more wise, all might reap the benefit, who choose to profit by his wisdom. I have not, however, been discouraged by these considerations, nor have I chosen to be indolent, but esteeming the glory which will accrue from the oration itself a sufficient recompense, I come to give my advice concerning the war against the barbarians, and the unanimity that ought to prevail amongst us Greeks. I am well aware that many, who profess to be sophists, have taken upon themselves the like discourse, but,

nevertheless, I trust that I shall treat the subject in such a totally different manner, that it will seem as if they had never spoken one word concerning these things. I will say first, I am of opinion, those orations are the most beautiful, that are so fortunate as to treat of the most important matters, that afford the most complete exhibition of the speakers, and that are most profitable to the hearers, of which kind this oration is one. I will say next, that the times have not yet by any means passed away, so that it would be vain to remind you now of these things. For an orator ought to be silent, either when the affairs of which he would treat have come to a conclusion, and there is no need to counsel any further concerning them, or when he perceives that a perfect discourse has been delivered, to which it is quite impossible that any one should add anything. But, so long as things go on just as they were formerly wont, and so long as the speeches are of little value, why ought we not to meditate upon and to endeavour to compose such an oration as, should it chance to be successful, would deliver us from our internal wars, from our present tumults, and from the greatest misfortunes. And, besides, if it be quite impossible to exhibit the same transactions in a different light, and if there be but one view of a subject, then, indeed, we might perceive that it would be superfluous to weary our hearers by repeating to them the same thing over again in the same manner; *but since words have such a mighty power as to be able to make great things low, and to give magnitude to small things, to relate matters of antiquity with an air of novelty, and to discourse of recent events in an ancient manner*, those subjects are not to be avoided, on which others have spoken before, but we ought to attempt to speak better than they have done. For the great actions that have been formerly achieved are left as a common inheritance to us all; but to use them opportunely, and to form a correct judgment of each, and to express it well in words, is the peculiar property of those men who are successful in wisdom. And I am of opinion, that all the other arts, and also that of the Philosophy of Oratory would attain the greatest advancement, if we were to honour and admire, not those who are the first to commence any subject, but those who bring each to its best and most absolute perfection: not those who seek to discourse on matters of which no man ever spoke before, but those who discourse so skilfully, that no one else can hope to surpass or even to equal them."

The next citation is from the remarks of Longinus on the first passage, who certainly believed that Isocrates was in earnest; if, therefore, the Reviewer be correct in asserting, that

the Panegyrical Oratory was a great lie, he is also correct in saying, "that that eminent critic had wholly mistaken its nature."

Longinus writes as follows:—"Wherefore it is proper to know how far anything may be carried beyond its ordinary bounds, for, sometimes, by going too far, the hyperbole is destroyed, and things that are drawn too tight become slack. Thus Isocrates has erred in a puerile manner by ambitiously attempting to amplify every thing; for the object of his Panegyrical Oration being to show, that Athens surpasses Lacedæmon in benefits conferred upon Greece; he places the following words even in the very exordium of his oration: '*Since words have such a mighty power as to be able to make great things low, and to give magnitude to small things, to relate matters of antiquity with an air of novelty, and to discourse of recent events in an ancient manner.*' What, then, Isocrates, some one will say, are you going to transform the affairs of the Lacedæmonians and of the Athenians after this fashion? For he seems to have set forth this encomium on the power of words almost as an exhortation to his hearers, and a recommendation to distrust what he is about to advance. Perhaps, therefore, this kind of hyperbole is the best (as we said before concerning figures) which keeps this very thing concealed, viz. that it is a hyperbole."

'With history he took a bolder step—Paradox, above all things, was his delight; he raised or diminished numbers as he pleased; he altered periods and events as suited his purpose; and for so doing he appealed only to one arbiter—the ear. Leaving truth as a domain for the advocate and senator, the panegyrist claimed for himself the land of illusions.'

This must startle the reader—it is the principal charge, and a formidable charge it is—but how is it supported? The proof, he says, occurs in his third citation, "in Isocrat. Panath. 2, 271, where the orator confesses that he has altered some historical facts." Let us hear the orator himself; let us hear his own confession: it is necessary to hear the whole of it, and may the blame of prolixity rest with him who made it necessary. "Who does not know, or who has not heard from the Tragedians at the Feasts of Bacchus, the misfortunes of Adrastus before Thebes? That in attempting to restore the son of Œdipus, his own son-in-law, he lost the whole army of the Argives, and saw all his officers perish, having saved himself most dishonourably? And as he was unable to obtain a truce, or to remove the slain, he came a suppliant to our city, the government of which was still administered by Theseus, and prayed

him not to permit such men to lie unburied, and the ancient custom and law of our forefathers to be abrogated—which all men continue to obey, not as imposed by human nature, but as if enacted by divine power. Having heard these things, without a moment's delay, he despatched an embassy to Thebes to advise them to adopt more pious counsels concerning the restoration of the slain, and to return a more lawful answer than they had before given, and to give them to understand this, that the city would not permit them to transgress the common law of all the Grecians. When the persons who were then in authority at Thebes heard this, they came to a different determination from that which some of them held concerning these things, and from what they had before resolved, but they treated with moderation concerning these things, and, having censured those who sent an expedition against them, they gave up the slain to our city. And let no one imagine that I am ignorant that I now happen to say that which is contrary to what I may appear to have written in my Panegyrical Oration concerning these same things. For I do not believe that any one capable of comprehending these matters is full of such strange ignorance and envy, as not to applaud me, and to think that I act prudently in treating concerning these things then, in that manner, and now, thus. Concerning these things, therefore, I know that I have written well and advantageously. How much our city excelled in military affairs at that time (for through a desire to prove this I went through the events at Thebes) I think this affair shows clearly to all persons, as it compelled the king of the Argives to become a suppliant to our city, and disposed the authorities of Thebes to prefer abiding by demands made by our city, rather than by the laws ordained by the Deity. None of which things would our city have been able to arrange in this manner, unless it had far surpassed all the other cities of Greece in glory and in power."

Let us now read "what he wrote in his Panegyrical Oration, concerning these same things," and let us read his very words, that there may be no mistake, and that we may not participate in the "strange ignorance and envy," of which he complains. "A long time before the Trojan war (from which period they who contend about their ancestry, properly derive their vouchers) the children of Hercules came to Athens, and a short time before them Adrastus, the son of Talaus, the king of the Argives. For he having been unsuccessful in his expedition against Thebes, and not being able himself to remove the slain, besought our city to render assistance to the common cause of humanity, and not to permit those who had died in battle to

lie unburied, and the ancient custom and law of our forefathers to be abrogated. The children of Hercules, also, flying from the hostility of Eurystheus, overlooked the other cities of Greece, as being unable to succour their misfortunes, and considered our city as alone able to give a grateful return for those benefits which their father Hercules had conferred on the whole human race. From these things, it is easy to perceive, that even at that time our city was supreme, and that now it does not contend unjustly for the supremacy; for who would venture to supplicate inferiors, or persons under the dominion of others, and to neglect those who have the chief power, especially, not respecting private, but public affairs; and of which no others were likely to take cognizance, save those who claimed the precedency amongst the Greeks? Moreover, they do not appear to have been disappointed in the hopes, through which they had fled to our forefathers, for they took up the war on account of the slain against the Thebans, and also on account of the children of Hercules, against the army of Eurystheus. Sending an expedition against the Thebans, they compelled them to give up the slain to their relations to be buried; and as for the Peloponnesians, who invaded our country with Eurystheus, they went out against them, fought with, and conquered them, and restrained the insolence of Eurystheus. Although our ancestors were admired for their other exploits, they obtained still more glory by these deeds, for they did not perform them on a small scale; but they changed the fortunes of each party so entirely, that the one who came as a suppliant, went away the conqueror of his enemies, having accomplished all that he desired; and Eurystheus, who intended to compel us by force, being made captive, was forced to turn suppliant. He had lived all his life insulting and tyrannizing over Hercules, who surpassed human nature, who was sprung from Jove, and who, although a mortal, had the force of a God; but as soon as Eurystheus offended us, his affairs took such a turn, that he came into the power of the sons of that same Hercules, and ended his life most disgracefully."

Whether the story of Adrastus was a "historical fact," or whether it was "considered as such," is at least doubtful from the words of Isocrates, who says, "A long time before the Trojan war (from which period they who contend about their ancestry properly derive their vouchers) the children of Hercules came to Athens, and a short time before them Adrastus, &c." and again, "Who does not know, or who has not heard from the *Tragedians at the Feasts of Bacchus*, the misfortunes of Adrastus?" Be this as it may, the difference is but slight.

In the one case, he had said, that the Athenians took up the war, and that the Thebans yielded to them, when they brought an army; in the other, he says, that they sent an embassy, to try to obtain a more lawful answer than the former, and to show them, *that the city would not allow them to transgress* the common law of all the Greeks. In the latter case, possibly he wishes to pay the Thebans the compliment of having yielded with a good grace to persuasion; although he admits, that it was against their inclination; and that, somehow or other, it was shown, that the city would not permit them to act otherwise. So far, therefore, from leaving the domain of truth, altering the event as suited his purpose, and appealing only to the arbitration of the ear, respecting a remote story, which was at least thus much fabulous, that the existence of the sphinx, a monster, with the head, face, and breasts of a woman, the wings of a bird, and the body of a dog, formed a principal part of it, and was indeed the foundation that supported the whole fabric; he was so jealous of consistency, that the concession, that the Thebans yielded without actual violence, without blows having been struck, which he had not asserted in the former oration, appears to be made even somewhat ungraciously; and he deprecates this very moderate departure, by an explanation, which has afforded a handle to misrepresentation.

The Reviewer's fourth proof, is the passage quoted from Dionysius of Halicarnassus, which is certainly striking: "When in the description of opposite styles, we find *Panegyrical* opposed to *Veracious*—it seems pretty conclusive, that the Panegyrical Oratory was—a great lie." We venture, however, to appeal to Cæsar; from the party quoting to the party quoted; and we readily agree, that the whole controversy shall be decided by this single point. The acquaintance of the Reviewer with Dionysius appears to be but slight; he probably cast his eye over the rhetorical works, in the time which he allowed himself to breathe between the composition of his fervid paragraphs; or perhaps met with detached sentences, and quotations at second hand, in some summary of rhetoric: he informs us so, indeed, nearly in terms, for in this sense only can we understand what he says in the following sentence, as we cannot suppose that he is vain enough to fancy that any one cares, or desires to know, whether he formed any particular opinion in his own head, or copied it out of this, or that, book.

'In speaking of the styles of Demosthenes, Dionysius asserts as we did, without being aware that we had so good an authority for the opinion, that it was a style formed out of the best models of every opposite species of style, worked up into one common and consistent texture.'

Taking this, then, as an acknowledgment, that his acquaintance with Dionysius was but lately made, and is very slight, we cannot wonder that he misunderstood the passage, in which he supposes that the *panegyrical* style is opposed to the *veracious;* or that he greedily adopted a quotation, which, so long as it is perfectly misunderstood, favours, flatters, and smiles upon the grand object (which is disagreeable to his taste, but is nevertheless his duty) of blasting the credit of Isocrates, the witness in favour of a popular form of government, and of showing that he spoke "in the full admitted license of fiction" unlike "a man of honour and veracity," but "playing the trickster both with the judgment and the imagination." He supposes that the *veracious* style, as he translates it, is that in which the orator is bound to speak nothing but the truth, and consequently, that the *panegyrical* style, which is evidently opposed to it, as the sweet is to the bitter, and white to black, is that, in which the orator is bound to speak any thing but the truth. This is short and clear; for error is always beautifully brief; to explain the matter, a few more words will be necessary, as the truth demands care and a longer attention. Αληθινη, in the passage quoted, does not mean *veracious* with reference to the contents of the speech, and the facts asserted in it, that they are true and not false; but with respect to the end, for which the speech is delivered, that it is a real speech, truly relating to some matter of business, which is indeed in issue, and of which the decision is verily to be influenced thereby; that it contains practical arguments fit for such a purpose, and is not a mere panegyrical or holyday oration; which, although it does not utter one untruth, is only spoken to gratify the hearers by its elegance and by praises bestowed on them, their friends, or some place or event in which they take an interest; whereupon nothing more is to be done; and no further proceedings had. That this is a sense in which αληθινος is used by Dionysius must be shown from other passages of his works.

De Priscis Oratoribus, p. 98.

In a summary comparison of Isocrates with Lysias, he says—"I consider Isocrates as more successful in amplifications, but for condensing his meanings and bringing them out roundly, as if for real business, I would choose Lysias as the more proper."—Περι τας αυξησεις Ισοκρατην κατορθον αμεινον εδοκουν· εν τω συστρεφειν τα νοηματα και στρογγυλως εκφερειν, ως προς αληθινους αγωνας, επιτηδειον Λυσιαν απεδεχομην.

In his epistle to *Cn. Pompeius,* after comparing Philistus with Thucydides, in many particulars declaring his inferiority, he

concludes—" But for real affairs and business he is better adapted than Thucydides.—Προς δε τους αληθινους αγωνας επιτηδειοτερος Θουκυδιδου.

In his treatise addressed to *Qu. Ælius Tubero*, intitled, *De Thucydidis Historia Judicium, p.* 157.—" He admires the divine virtues of the speeches, which are said by that historian to have been delivered by Nicias at Athens, concerning the expedition to Sicily; of the letter sent by Nicias to the Athenians, in which he asks for further assistance, and that a successor may be appointed, being himself infirm in body through disease; and of the exhortation to his soldiers before the last naval engagement; of the consolatory harangue, when having lost all the ships, he proposed that the army should retreat by land, and of whatever other such orations there are, pure and perspicuous and well suited for all business."—Και ει τινες αλλαι τοιαυται δημηγοριαι, καθαραι και σαφεις, και εις τους αληθινους αγωνας επιτηδειοι.

In that same treatise concerning the *Deinotes* of Demosthenes, whence the much-injured passage, that occasions the present strife was extracted, he censures Isocrates for weakness, and says in metaphors borrowed from the Fives-Court—" When champions, who contend in that kind of language which is used in the real public business of life, strike, they should strike hard; and when they lay hold, it should be no easy matter to get away."—Και τοι γε τοις αθληταις της αληθινης λεξεως ισχυρας τας ἁφας προσειναι δει, και αφυκτους τας λαβας. p. 174.—The kind of language is well rendered by the Latin translator—" *ejus scilicet dictionis quâ seriæ causæ peraguntur.*"

Dionysius, in short, as is well known to those who are intimately acquainted with his rhetorical works, most commonly uses, not only the word αληθινος, which the Reviewer incorrectly translates *veracious*, but also the word αληθης, not as signifying *true* with respect to the truth, or falsehood, of a proposition, but in a technical sense, to denote *real* with respect to the end proposed; thus he says of Philistus, in another place, that he is more serviceable than Thucydides for real contests—Θουκυδιδου προς τους αληθεις αγωνας ωφελιμωτερος, and sometimes as true to nature, to feeling, and to experience. He also uses αληθεια in the same technical manner, without any reference to historical truth, which cannot enter into the consideration of a rhetorician, when he merely writes as an artist, and delivers the principles of his art. It is sufficiently evident, therefore, that the quotation from Dionysius of Halicarnassus fails completely to prove, that the Panegyrical Oratory was *a great lie*, and that the Reviewer has altogether mistaken its meaning: to insinuate, that he intentionally was guilty of that atrocious

crime against knowledge, a voluntary misrepresentation, is as contrary to the courtesy of criticism, as it is unfitting the respect due even to the errors of a scholar.

The last direct proof is the fifth passage, about the ten thousand Greeks, which is alluded to, but not cited; and if it be taken without examination, it has also some effect on the mind of the cursory reader; its perfect fairness is worth any sacrifice, even the risk of tediousness, the charge is repeated in the words in which it is made.

'It would carry us far beyond our limits to give proof of all these assertions; but one will serve instead of twenty. There is no circumstance in Grecian history more known, or better ascertained, than the arithmetical number of Greeks, who achieved the celebrated retreat under Xenophon. This numerical account, it suited the purpose of Isocrates on one occasion to conceal; he accordingly diminishes it at once, from ten thousand to six; and, as if this were insufficient, he adds, and these were not picked men of Greece, but men who from poverty, or flagitiousness, had not the means of living in their own country.'

The passage alluded to, is in the Panegyrical Oration, p. 138. Isocrates says, that the Persians had so little bravery, "That when they met with six thousand Greeks, not picked men, but persons, who from the inferiority of their condition, were unable to live in their own cities, ignorant of the country, forsaken by their allies, betrayed by their companions in the expedition, and deprived of the general whom they had followed; the Persians were so much inferior to these men," that they had recourse to treachery. *Λαβοντες γαρ ἑξακισχιλιους των Ἑλληνων, ουκ αριστινδην μεν επιλελεγμενους, αλλ' ὁι δια φαυλοτητα εν ταις ἑαυτων πολησιν ουχ ὑιοι τ' ησαν ζῃν, απειρους μεν της χωρας οντας, κ. τ. λ.* First, as to the quality of these Greeks; the experience of all ages shows, that men who are hired by foreigners, as mercenaries, to fight in any cause, however unjust or desperate, are never the chief persons in their own country, but persons, who from their inferior condition, from poverty, and, not unfrequently, from flagitiousness, are unable to live at home. That the Greeks were such men, is highly probable; whether they were or not, was, no doubt, well known when Isocrates wrote. Next, as to the number. Whether ἑξακισχιλιους be a mistake of the transcriber, for δεκακισχιλιους, which it somewhat resembles, and which we sometimes meet with, for μυριους, ten thousand, would be a question for learned triflers, who probably would find MSS. in which δεκακισχιλιους might be read, or at least either of the two words, *ad libitum;* as well as any other multiple of a thousand. But the correctness of the text in this

instance is unimportant; the arithmetical number of the Greeks who achieved the celebrated retreat under Xenophon, is not so much known, or so well ascertained, as is supposed. There were many other accounts of the Anabasis, besides that of Xenophon, by Ctesias, the Physician of Artaxerxes, by Dinon, and by others; what writer Isocrates followed, we can never know; let us suppose Xenophon; but even according to Xenophon, at what period of the expedition is the number to be taken? At the beginning, it was nearly thirteen thousand (as Plutarch in the life of Artaxerxes also says, "and, but little less than thirteen thousand stipendiary Grecians"); when they defeated the Colchians, they were somewhat less than ten thousand; when the army was reviewed in the native land of cherries, at Cerasus, it consisted of 8,600 men; and after their service under Seuthes, there were only six thousand. It is not clear, moreover, that all the mercenaries would be considered by Isocrates as strictly Greeks; but of this, more has been said already than the subject deserves. The authorities to show, that the Panegyrical Oratory was a *Great Lie*, have been attentively considered; the reader, if his patience has carried him thus far, will best judge, whether that term be most applicable to the use for which it was originally introduced.

The Reviewer concludes this part of his article, by telling us in a note, that he had some thoughts of collecting a set of opposite passages, for the purpose of distinguishing between Isocrates, the Pamphleteer, and Isocrates the Rhetorician; from the specimens which we have already had, it will hardly be regretted, that the collection was not made; and, in order to throw a sweeping slander upon the Athenians at parting, he quotes a passage from Andocides. But, even in his own version, the "few sober words of Andocides" are harmless enough. To become the common deposit of the fleets and treasures of others, is the first crime. The abuse of confidence is no doubt a deadly sin; but to obtain it, as that can only be done by good conduct, and as generally those persons are most trusted, who are most trustworthy, is venial, even in a republic. To build walls, in order to prevent invasion, seems to be justifiable, as a defensive measure. To take advantage of the corruption of an enemy, and to avert vengeance by bribes, which is the third crime, must appear heinous to the admirers of a virtual representation, who, no doubt, are unwilling that large sums should be expended *at Lacedæmon*, and are sworn foes to foreign bribery; as the children are naturally averse to the taking away their bread, and throwing it to the dogs.

Force, or, as he translates it, violence, has always been the great arbiter of power, even under a despotic government. As to ships and colonies, Britannia herself does not disdain to rule the waves; and, touching colonies, all mother countries, whatever may have been the form and quality of the government at home, in their colonial policy have had one uniform object, which has been steadily kept in view, viz. to vie with each other in misgovernment and oppression.

Let us now go to the ladies!

'"The eloquence of the Sophists," says the Reviewer, "has become a by-word of infamy and contempt, and it is perhaps known only to the most learned of our readers, that any specimens of it are yet to be found. Two speeches however of Gorgias, their prince and leader, have contrived to escape that gulf into which his fellow-traders in iniquity have dropped: and as curiosities in themselves, they may not be undeserving a moment's notice.

'It was our melancholy task once before, to follow this pestilent race into their dark recesses, and to point out by what means they endeavoured to effect that dislocation and looseness in the moral frame, which their infamous doctrines caused among the *men* of Greece. But they were not persons who did the work of villainy by halves, or who were content to debase only the rougher part of the creation. Woman was their game as well as man, and as they varied their attack on the latter, because man being attached to society by many links, may perhaps hold faster by one, since he has broken the others; so in their powerful assault upon the gentler sex, they skilfully selected that point of attack, which, by severing woman from the tie of family feeling, throws her at once out of the system, and leaves her an erratic comet, in whose very beauty there is fear; and which gives the first promise of security, when it sinks into that privacy out of which it has too suddenly risen. For a being, weak by nature, and whose feebleness is often rather increased than supported by society; for a creature, whose aberrations society takes care severely to chastise, and who sins less, perhaps, from motives of self-gratification, than because she wants power to deny any thing to those she loves; for such a being, we have all the compassion which the common infirmities of our nature demand; but if there be in nature one feeling of abhorrence more strong than another, it belongs to a writer like that before us, who endeavours to loosen all the ties between woman, and such a situation; who deliberately sits down to a defence of adultery, as to the solution of a mathematical problem, with only this difference, that the demonstration comes first, and the enunciation afterwards; and who rises from his "plaything" (to use his own expression) with that apparent satisfaction which, we had been taught to believe, resulted only from the successful investigation of abstract truths. Yet, stripped of its flimsy sophistry, what is the speech in praise of Helen, but that which we have described? and by what infatuation of the human mind was it, that a speech, as contemptible in composition as it is corrupt in principle, is to be numbered

amongst those, which gained for its author, when living, a statue of gold.'

Woman was the game of this pestilent race in their dark recesses; they attempted to destroy the human race utterly; to break every bone in every man's skin, by attacking the outworks of the chastity of woman; of that being, weak by nature, and whose feebleness is often rather increased than supported by society; of that creature, whose aberrations society takes care severely to chastise, and who sins less, perhaps, from motives of self-gratification, than because she wants power to deny any thing to *those* (we would rather read *him*, but are afraid to substitute it without the authority of a single MS.) she loves. Thus cants this man of nonsense, and adds, for such a being we (the editor of the Quarterly Review) have all the compassion, which the common infirmities of our nature (the nature of woman, the erratic comet, in whose very beauty there is fear, and of the editor) demand. If this accusation were translated into English out of the original verbiage, it would appear, no doubt, sufficiently terrible; but how is it supported? That Gorgias wrote an Encomium on Helen is most true; but, that he deliberately sat down to a defence of adultery, as to the solution of a mathematical problem, is most false. Every one knows, that it was a common exercise of the rhetoricians to show their ingenuity, by writing in favour of what they and others disapproved. Would the Reviewer have us believe, that the author of *Ebrietatis Encomium*, had a deliberate intention of writing down all sober men, and of demonstrating, mathematically, the necessity of perpetual and universal drunkenness? —that Erasmus corruptly attempted to loosen the ties between man and good sense by his *Moriæ Encomium*, or Panegyric upon Folly; and that he addressed it to sir Thomas More, not merely for the sake of the pun, but that he, a likely man to be gulled by such an attempt, might be his dupe, and the first victim of his flimsy sophistry? That any serious end was proposed by the authors of similar works, some of which are thus enumerated by Erasmus in his prefatory epistle? "Policrates commended the cruelty of Busiris; and Isocrates, that corrects him for this, did as much for the injustice of Glaucus. Favorinus extolled Thersites, and wrote in praise of a Quartane Ague. Synecius pleaded in behalf of baldness, and Lucian defended a Sipping Fly." These displays of a perverse ingenuity, were as completely of course, as the knowledge which Juvenal says was indispensable in a tutor.

> "Ut legat historias, auctores noverit omnes
> Tanquam ungues digitosque suos; ut forte rogatus

Dum petit aut Thermas, aut Phœbi balnea dicat,
Nutricem Anchisæ, nomen patriamque novercæ
Anchemoli; dicat quot Acestes vixerat annos,
Quot Siculus Phrygibus vini donaverit urnas."*

If a mere compliance with the ordinary scholastic routine be an attack upon the outworks of chastity, "that wretched sophist," the late respectable Mr. Thomas Dyche, schoolmaster, will "become a by-word of infamy and contempt;" and he is, it is feared, but too guilty of assaulting, by the posthumous republication of his spelling book, all the women in London, with an intent, &c., each of them respectively. The nervous critic finds the black art in the Horn-book, and in the New London Primer, and believes that the "coxcomb," Dilworth, "that antic to laugh at in a sultry summer's day," inserts *murder* and *treason* amongst words of two syllables, to accustom the infant tongue to revolutionary phrases, whilst the boy is still *sans culotte*, and teaches the sounds hang, burn, kill, drown, to his younger sister, that, when she is matured by years into a full-grown *poissarde*, they may be familiar to her ear. Whenever he passes a Lancastrian school, and hears the young disciples acquiring elementary knowledge by vociferation, he crosses the street, and hastily retreats from what he imagines to be the "cries of tortured ghosts" and the yells of demons over some hellish work.

But, how comes it to pass that the Reviewer, who never exhibits any sexual propensities, and who, in all his manifold articles indites as if he had obtained a complete victory over the flesh, should become suddenly as jealous as a Turk, and should call a man "a scribbler, at once a coxcomb and a villain," for writing about old Helen? Are matrimonial causes so important to his reformed, Protestant, high church? Is marriage exclusively the province of the church, and part and parcel of the sacred vineyard? Is the title to this part and parcel of the freehold so very tender, that to write even about old Helen (or rather, to have written full two thousand years before the martyrdom of archbishop Laud) is apt to bring it into hazard? The papal government long disturbed the happiness of mankind, and de-

* "Be sure he knows exactly grammar-rules,
And all the best historians read in schools;
All authors, every poet to a hair;
That, asked the question, he may scarce despair
To tell who nursed Anchises; or to name
Anchemolus's stepmother, and whence she came:
How long Acestes liv'd, what stores of wine
He gave to the departing Trojan line."

filed the purity of religion, by the exercise of this jurisdiction, and the Protestant church succeeded to it nearly entire.

The Reviewer can tell a pretty story about the land of Egypt and a ladder; let us hear his story again from his own lips:

'Anticipating with almost prophetic view, that Greece would ever remain the central point of civilization to the world, the Orator took care, that the leading state of Greece should be dressed in the gaudiest of colours; and it was accordingly declared, that what had not immediately descended from heaven to bless mankind, had come to them from Athens; for Egypt was as much forgotten on these occasions, as the ladder which the ambitious man kicks from under him, as soon as it has served his purpose of rising in the world.'

The Church of Rome gained that power, which the reformed Church adopted, and then called her mother bad names, and scarlet names; surely this was kicking the ladder, and kicking it rather hard too? Since the ladies in an unguarded moment have led us to Church, let these long hypercriticisms conclude, at least for the present, with a scene in a Church.

"*Philecous.* I hear, that there is no body of men furnished with more indulgences than the Franciscans, so that it is lawful for them to destroy by poison persons condemned by their sentences, or to bury them alive, without the hazard of incurring any irregularity.

Theotimus, What you have heard is not a vain fable. For a credible witness, a Pole, once told me, that one night, when he was drunk, he fell asleep in the Church of the Franciscans, in one of those boxes in which women sit, and confess through a thin plate of metal, drilled full of little holes. That he was awakened by the nightly service, but did not dare to discover himself. When the nocturnal chaunt was finished in the usual manner, the whole choir of monks went down into the Crypt, where was a ready made grave, pretty wide, and pretty deep. Two young men were standing with their hands tied behind their backs. A sermon was preached in praise of obedience, and remission of all their sins was promised in the world to come. Some hope was even hinted, that the Almighty might perhaps turn the hearts of the monks to mercy, if they would go down into the pit of their own accord, and lay themselves upon their backs. This was done; the ladders were gently drawn up, and all the monks together filled in the earth.

Philecous. Did the spectator keep silent during all this?

Theotimus. Perfectly, for he was no doubt afraid, lest, if he should discover himself, he would make a third in the grave.

Philecous. What, is it lawful for them to do even this?

Theotimus. It is lawful whenever the honour of the order is in

danger. For as soon as the Pole had made his escape, he told what he had seen every where, at all feasts, to the great discredit of the Seraphic order. *Would it not have been much better than this, that one more man should have been buried alive?*

Philecous. Perhaps it would.*

When the honour of the order is in danger, "*quoties periclitatur decus ordinis,*" is it any great matter to say of a poor defenceless Sophist, that he is "at once a coxcomb, and a villain," or to call the Panegyrical Oratory, which is now but little read, A GREAT LIE?

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* "*Philecous.* Atqui audio nullum hominum genus pluribus instructum indultis; adeo ut liceat illis homines ipsorum sententia damnatos, vel veneno necare, vel vivos defodere, citra ullum irregularitatis periculum.

Theotimus. Non est vana fabula quam audisti. Nam mihi narravit vir minime mendax, Polonus, se obdormiisse potum in Templo Franciscanorum, in his angulis in quibus sedent fæminæ, per laminas foraminosas confitentes. Experrectus cantu nocturno non ausus est se prodere. Decantatis ex more nocturnalibus, totus fratrum chorus descendit in ædem inferiorem: ibi erat parata fossa bene lata beneque profunda. Stabant duo juvenes revinctis a tergo manibus. Habita est concio de laude obedientiæ; promissa est apud Deum omnium commissorum venia. Nonnulla etiam spes injecta, fore ut Deus fratrum animos flecteret ad misericordiam, si sponte descenderent in foveam, seque supinos reponerent. Factum est; subductisque scalis, omnes simul injecêre terram.

Philecous. Siluitne interim ille spectator?

Theotimus. Maxime; tum quidem nimirum metuens, ne, si se prodidisset, tertius adderetur fossæ.

Philecous. Etiamne hoc illis licet?

Theotimus. Licet quoties periclitatur decus ordinis. Nam ille simul atque evasisset, passim in omnibus conviviis narrabat quæ viderat, magna Seraphicæ gentis invidia. Nonne præstiterat vivum sepeliri?

Philecous. Fortasse" *Erasmi Exequiæ Seraphicæ.*

CRITICAL NOTICES.

1.—*Journal Anecdotique de Madame Campan; ou Conversations Recueillies dans ses entretiens.* Par M. Maigne, suivi d'Extraits de sa Correspondance, ses Pensées sur l'Education, &c. &c. Paris, et Londres, chez Colburn, New Burlington-Street. 1825.

This is the work which for months previous to its publication was announced in all the newspapers as the Journal Anecdotique de Madame Campan, or sometimes as the Private Journal of Madame Campan: a deception which the publisher has had the effrontery to repeat even since the appearance of the work, the title-page of which discloses the cheat, though we regret to say, the title-page itself is not formed with the view of giving an honest idea of the contents of the work. We, doubtless like many other innocent people, committed the folly of believing one of Mr. Colburn's advertisements, and gave an order that, when the book appeared it should be sent to us: our credulity has been properly punished. We ought to have known better; such implicit belief is only pardonable in the good people of the country. It is against the large and innocent body of book-buyers who dwell above fifty miles from the metropolis, we presume, that the whole army of puffers direct their daily and weekly battery. Surely Mr. Colburn does not expect his *small print* paragraphs, with which the newspapers are studded, to be believed in the *adjacent* counties. When, for instance, he tells us that the fashionable world is profoundly agitated by the new publication entitled, "Sayings and Doings;" and there is now as much curiosity excited about the name of the Great Unknown of the South, as there used to be about the Great Northern Unknown; we can have no difficulty in discovering the meridian for which so gross a puff is calculated. Assuredly this publisher finds his profit in his disgraceful system, and we can only lament the deplorable state of ignorance and stupidity in which a large portion of book-buyers must be buried, to suffer themselves to become the prey of artifices so clumsy and disgusting. It is not, however, the advertiser alone in whom the practice should be reprobated, but also in those managers of newspapers, who not only connive at but assist the deception. If we cannot prevent this practice, it is due to the interests of literature, and to the simplicity and good intentions of the provincial public that we should try to intercept, as far as we can, the effects of it.

The Private Journal of Mad. Campan proves to be no Journal of Madame Campan, neither is it the journal of any other person. Mad. Campan never saw any part of it, much less wrote it. It is possible that one M. Maigne might make out a pretty tolerable claim to call it his journal, but it is not strictly even the journal of M. Maigne. M. Maigne lived almost five years in the same town with Mad. Campan, on terms of intimacy, he says, with that lady. During these five years M. Maigne was in the habit of making notes of her conversations "for reference only," we suppose like Mr. Colburn's other hero, Mr. Medwin;

and now that she is dead he has published them to fulfil a promise he made to her old pupils, that he would write an account of her last moments. "J'avais promis à plusieurs de ses anciennes élèves d'écrire une relation de ses derniers momens. Je sentais que ce triste récit, en nourissant leur douleur, s'accorderait avec mes justes et profonds regrets."

It is not improbable that Mr. Maigne was the old lady's apothecary: at any rate the journal is just such a one as any apothecary might write for any of his patients. Let such apothecaries as by chance have celebrated patients under their hands, learn from this, that there are better ways of being paid than through the vulgar medium of a doctor's bill; let them book his sayings and doings, his *dying speeches*, as well as his pills and draughts, and ever bear in mind that it is only in case of a fatal termination of the disorder that their *notes* can be turned to account.

The contents of the book, whether M. Maigne's, or Mad. Campan's, are utterly worthless, and do not deserve a moment's attention. Nothing can be clearer than that the whole of it has been got up as a trading speculation on Mad. Campan's NAME. A *private anecdotic* journal, kept till death by a person who had possessed such opportunities as Mad. Campan, would really have been curious: the publisher would have liked that best of all; the next best thing is, to make the public believe, until they have bought the book up, that it is what it might have been. The art of title-page making is one which requires consummate ingenuity and extensive knowledge of the weak places of mankind. The art of book-making demands no mean qualities, but sinks into insignificance compared with the genius of the framer of title-pages. We have here a brilliant specimen of excellence in both. First for book-making. What the JOURNAL is we have already said; but the *journal* only occupies *one-third of the book*, only 136 pages; alas! this was not bulky enough; and there was here no excuse for 4to pages, and three inch margin. What was to be done; M. Maigne rummages up some old letters of Madame Campan—excellent! *Private Journal* and *Private Letters*; but still only 230 pages; no paper, however thick (not even *Theodric* paper) can make a decent twelve shilling volume out of 230 pages. It occurred happily enough to the mind of the great maker of the book, that Mad. Campan had published a work on Education, which was unknown to the English public. The work itself was too large to be itself incorporated; but it was thought, that its *substance* might conveniently swell up the remaining 150 pages. The substance accordingly is added, and a large fine handsome-looking book is born to the world. The great praise of the book-maker's skill, is not only that the book bears the aspect of a tolerable book, but that it opens such a fine field to the genius of the title-page maker. The apothecary's gossip—*Private Journal of Mad. Campan.* The old letters to her son—*Extraits de sa Correspondance.* The substance of the book on education—*ses pensées sur l'Education.* As for the &c. &c.—they are an original stroke of invention of the title-page maker which has the merit of being unsuggested by any thing on the part of the book-maker. On the whole, we think this the best of Mr. Colburn's title-pages; we

remember many ingenious ones; but not one which surpasses it, unless it be that of his republication of the old translation of the Life of Benvenuto Cellini by Dr. Nugent. We will copy it for the benefit of our country subscribers:—"Memoirs of Benvenuto Cellini, a Florentine artist; written by himself: containing a variety of information respecting the Arts, and the history of the Sixteenth Century. Third Edition. Corrected and enlarged from the last Milan Edition; with the Notes and Observations of G. P. Carpani, now first translated by Thomas Roscoe, Esq."—Who would suppose that this was a republication of an old translation—the whole is artfully managed; for here no falsehood is stated, and yet not a reader in a thousand but would make the inference desired, viz. that it was a new translation by Thomas Roscoe, esq.; it being rightly supposed that the name of Roscoe appended to a new translation of an Italian work would be more taking than that of Nugent to an old one. The preface is likewise managed with considerable art; it is *no where* stated to be Dr. Nugent's translation, but a *well-informed* and *careful* reader would infer the fact. We give Mr. Colburn all the credit of this ingenuity, the success of which we have ourselves witnessed. But enough of Mr. Colburn: if we do any good by this public warning, we deserve some praise, for we assure our readers the task of exposing a newspaper-puffer is not a little nauseous, but as Messrs. Day and Martin have it, "*EVER anxious to prevent imposition,*" &c. &c.

NOTE. Since writing the above, we have seen the title page of Mr. Colburn's *English* translation—he has here out-done himself:—

"The PRIVATE JOURNAL of MADAME CAMPAN, comprising Original Anecdotes of the French Court; selections from his Correspondence, Thoughts on Education, &c. &c.—EDITED BY M. MAIGNE!!"

2.—*Theodric, a Domestic Tale; and other Poems.* By Thomas Campbell. 12mo. Longman and Co. London. 1824.

MR. CAMPBELL has hitherto had the good fortune to be a favourite with critics of all parties; and some of them have even ventured to promulgate certain new theories touching poetry, in order to bring him within the scope of their unlimited admiration.*

Mr. Campbell's longer poems, we think, may fairly be said to have owed a good deal of their popularity to the exquisite and elaborate harmony of their versification—a little to the gentle and natural pathos which tempers and casts its shade over the sweetness of their music—and not a little to their association with the beauty and sublimity of the brief lyrics with which their softer graces are so strongly contrasted. We are persuaded that it is to these last that Mr. Campbell will be indebted for his remembrance by posterity; and that when the Pleasures of Hope, in spite of its genuine enthusiasm about liberty—its enchanting pictures of maternal love and infant endearments—and the charm of its moral eloquence; and when Gertrude, with its exotic splendor of scenery—its

* See the Edinburgh Review, in an article on Gertrude.

delicious versification—its tenderness and its delicacy, are all forgotten; these short poems will canonize the name of Campbell in the hearts of all lovers of poetry, and not only lead them to forgive, for their sake, the affectation of great condensation and conciseness, which perpetually haunts their author, and gives to his poetry such a strained and artificial air; but may even persuade the more indulgent to pardon him for having written Theodric.

The poet, in one of his rambles about Switzerland, happens to meet with a tomb-stone; and his companion, without being asked any questions about the matter, very kindly undertakes to relate the story of the girl who is now sleeping in that lowly dwelling, She was, it seems, a little romantic, and hoping to meet with "some extant spirit of chivalric kind," rejected all the love and homage of the youths of her native valley. Her brother Udolph

> 'Had gone, poor boy! in soldiership to shine,
> And bore an Austrian banner on the Rhine.
> The youth wrote home the route [rout] of many a day;
> Yet still he said, and still with truth could say,
> One corps had ever made a valiant stand,
> The corps in which he served—Theodric's band.'—P. 7, 8.

The praises of this gentleman contained in Udolph's letters, inspire his sister Julia with the love she had never yet known; and a brief peace, which is emphatically styled "a curtain-drop between the acts of death," brings Udolph home to his native mountains, with the portrait of Theodric. In the mean time the hero of the poem visits England, and happens to see, for the first time, amidst the splendors of an illumination, a lady, with whom he falls in love. He had remarked "the motto and the arms her carriage bore"—so he finds her out, and proposes for her, but

> '—— Ere they wedded, matters of concern
> To Cæsar's court commanded his return,
> A season's space.'—P. 17.

—and on his journey he pays a visit to Udolph's family, where Julia delights him by playing on the piano-forte.

> 'Inspired and warbling, rapt from things around,
> She looked the very muse of magic sound,
> Painting in sound the forms of joy and woe,
> Until the mind's eye saw them melt and glow,
> Her closing strain compos'd and calm she played,
> And sang no words to give its pathos aid,
> But grief seem'd lingering in its lengthened swell,
> And like so many tears the trickling touches fell.'—P. 20.

The enchantment which possessed Julia had never passed away; and at last she confesses her secret affection. Of this scene, which might have been made touching, we shall only quote one brief specimen:

> '"To think I could have merited your faith,
> Shall be my solace even unto death!"

" Julia," Theodric said, with purpos'd look
Of firmness, " my reply deserved rebuke;
But by your pure and sacred peace of mind,
And by the dignity of womankind,
Swear, that when I am gone you'll do your best
To chase this dream of fondness from your breast." '—P. 21, 22.

He does depart, accordingly, for England, and espouses Constance; but is soon called from her embraces by the story of the madness and heart-broken anguish of Julia, who implores a last interview with her beloved Theodric. We do not very well know what the following passage means: it would appear, however, that the miscarriage of a letter (for all the events are brought about through the post-office) has a good deal to do with the catastrophe. The commencement details some of Udolph's arguments, to persuade Theodric to undertake so long a journey:

' " The journey's long, but you are full of ruth;
And she who shares your heart, and knows its truth,
Has faith in your affection, far above
The fear of a poor dying object's love."—
" She has, my Udolph," he replied, " 'tis true;
And oft we talk of Julia—oft of you."
Their converse came abruptly to a close;
For scarce could each his troubled looks compose,
When *visitants* to Constance *near akin,*
(In all but traits of soul) were usher'd in.
They said, and smiled to see it gave him pain—
That Constance would a fortnight yet remain.
Theodric blamed his Constance's intent.—
The demons went, and left him, as they went,
To read, when they were gone beyond recall,
A note from her lov'd hand, explaining all.
She said, that with their house she only staid
That parting peace might with them all be made;
But pray'd for love to share his foreign life,
And shun all future chance of kindred strife.
He wrote with speed, his soul's consent to say:
The letter miss'd her on her homeward way.—P. 30, 31, 32.

Constance, however, consents to her husband's journey—and Theodric arrives at the house of Julia just in time to receive her last sighs; and the anguish of that moment is deepened by the tidings he hears of his wife:

' 'Twas tidings, by his English messenger,
Of Constance—brief and terrible they were.
She still was living when the page set out
From home, but whether now, was left in doubt.'—P. 36.

Theodric sets out immediately for England: and

—— ' Reaching home, terrific omen! there
The straw-laid street preluded his despair—

The servant's look—the table that revealed
His letter sent to Constance last, still sealed,
Though speech and hearing left him, told too clear
That he had now to suffer, not to fear.'—P. 37.

One of the sisters of Constance gives Theodric a letter—from which, with the tenderness and beauty of Gertrude's dying address in our memories, we are almost afraid to quote the following lines, which make a "most lame and impotent conclusion" to the poem:

'Theodric, this is destiny above
Our power to baffle: bear it then, my love!
Rave not, to learn the usage I have borne,
For one true sister left me not forlorn:
And though you 're absent in another land,
Sent from me by my own well-meant command,
Your soul, I know, as firm is knit to mine,
As those clasp'd hands in blessing you now join:
Shape not imagin'd horrors in my fate—
Even now my sufferings are not very great, &c.
I charge my name with power to conjure up
Reflection's balmy, not its bitter cup:
My pard'ning angel, at the gates of Heaven,
Shall look not more regard than you have given
To me; and our life's union has been clad
In smiles of bliss as sweet as e'er life had,' &c.—P. 39, 40.

Such is the close of the story—which as our readers will have perceived from our extracts, does not rise to indifferent prose, except in one passage, which we have extracted, and in about twenty lines of tolerable description at the opening of the poem, which we have not room to quote.

The rest of the poems in the volume have already appeared elsewhere: from the last of them (Reullura), which is principally remarkable for combining all the metres in the English language (and a few more), we quote one or two verses, to show, that Mr. Campbell's lyrics do not contrast, by any display of uncommon energy or beauty, with the tale to which they are appended:

'Yet preaching from clime to clime,
He hath roam'd the earth for ages - -
And hither he shall come in time
When the wrath of the heathen rages.
In time a remnant from the sword—
Ah! but a remnant to deliver;
Yet blessed be the name of the Lord!
His martyrs shall go into bliss for ever.'

P. 140, 141.

'For the hand that uplifteth spear or sword,
Shall be wither'd by palsy's shock;
And I come in the name of the Lord,
To deliver a remnant of his flock.'—P. 148.

Mr. Campbell has hitherto been eminent among our poets, for the curious elaboration of his rythm, and for a certain languid sweetness of versification, which was apt at last to fall rather tiresomely upon the ear. We shall say nothing about such rhymes as "pair" and "prepare"—"dwelling," and "Ellen"—"tie," and "consanguinity," &c.; but we must really take leave to notice the following examples of the license Mr. Campbell has thought proper to use:

'To think I could have merited your *faith*,
Shall be my solace even unto *death!*'—P. 21.

'It was not strange—for in the human *breast*,
Two master-passions cannot *co-exist.*'—P. 36.

'What scenes of life's yet curtain'd *page*
May own its confidential die,
Whose stamp awaits the unwritten *page*,' &c.—P. 74.

'The Cross of our faith is *replanted*,
The pale dying Crescent is *daunted*,' &c.—P. 84.

'It bore a *crucifix*:
A Christian temple, which the *Picts*,' &c.—P. 138.

'I gazed, and felt upon my *lips*
The unfinished accents hang:
One moment's bliss, one burning *kiss*,
To rapture changed each pang.'—P. 89.

That Mr. Campbell is as negligent of *quantity* as of rhyme, will be seen from the following examples:

No! imaged in the sanctuary of your breast,
There let me smile, amid high thoughts at rest.—P. 41.

'Yet remember, England gathers
Hence, but fruitless wreaths of fame,
If the patriotism of your fathers,
Glow not in your hearts the same.'—P. 94.

'Worth itself is but a charter,
To be mankind's distinguished martyr.'—P. 133.

We have, however, exceeded our limits of a notice, and we begrudge the space allotted to so poor a production.

I, nunc, et tecum versus meditare canoros.

3.—*The Elements of Hydrostatics.* By Miles Bland, Rector of Lilley, Herts; and late Fellow and Tutor of St. John's College. 8vo. Mawman. London.

WHATEVER defects may characterize the mathematical treatises which have recently issued from the University of Cambridge, and no competent observer will deny that they are disfigured by very considerable defects, it would, nevertheless, be a breach of candour to deny that they possess also many distinctive excellencies. It is very certain that no

scientific productions of equal merit have lately appeared from any other quarter; and we know not that, in illustration of this opinion, we could select a happier instance than Mr. Bland's Hydrostatics. As an elementary exposition of this branch of Natural Philosophy, its details are full and satisfactory, and it deserves especial praise for its easy and familiar style, for the plainness with which the physical phenomena are described, and for thecorrectness and expressiveness of its illustrative diagrams. This commendation, to which Mr. Bland is fairly entitled, we state the more frankly at the outset of our notice, as we mean very freely to avail ourselves of our privilege of canvassing whatever may appear to be imperfect or erroneous. In order to dispose our ideas more distinctly, we shall advert successively to its arrangement to the omissions of certain subjects of primary importance, and to the imperfect and erroneous information which is furnished on others:

1. *Of the Arrangement.*

The ground-work of Mr. Bland's Treatise, the outline of his plan, and the bulk of the physical details, somewhat modified by conforming to a manuscript which has for many years been read in St. John's college, are drawn from Vince's Hydrostatics. This small tract, written at a time when science was confessedly very low in Cambridge, did not profess to exhibit a complete view of the subject, and was, in reality, a very imperfect sketch. It might be called rather a popular explanation of the principal phenomena, than a systematic development of their mathematical theories, and was accordingly very defective, not only in the kind and degree of its information, but also in the arrangement of that which it did communicate. Whatever faults it had in this respect, Mr. Bland has carefully contrived to preserve, by adopting almost exactly the same arrangement of his materials.

One of the inconveniencies arising from this imperfect arrangement consists in the impossibility of treating fully, in any one given place, many of the topics which are discussed. No distinct and comprehensive analysis can be exhibited. Thus specific gravity occupies the first section; it comes in again for a considerable portion of the third; and lastly, to our utter astonishment, crosses our path once more in a section on the expansion of solids.

The distinction between the equilibrium and the motion of bodies, whether solid or fluid, is at once obvious and important. It is not only suggested by a philosophical survey of the theory of mechanics, but is attended also by great peculiarities of analysis. By means of this classification every problem concerning the mechanical properties of fluids, is reducible to two series of equations; one embracing the equilibrium, the other the motion, of fluids. This distinction Mr. Bland rejects altogether; and, in consequence, throughout his treatise, questions of equilibrium and motion are mixed and jostled together in the happiest confusion.

2. *Omission.*

Of these two series of equations above alluded to, no notice whatever is taken. We shall be told, doubtless, that this work was meant for an

elementary treatise—these formulæ are of the very essence of the elements. But they are too complicated in their form [Pref. p. iii]—this we deny. But they depend on reasonings too delicate and abstruse; not, we reply, when these reasonings are developed with the simplicity of which they are susceptible; though how far Mr. Bland may be capable of divesting a complicated analysis of its thorns, having no evidence before us whereon to decide, we say not.

It was not, of course, to be expected that problems, whose resolution can only be effected by means of these equations, should be attempted. The propagation of waves on the surface of a gravitating fluid is a hydrodynamic problem as old as the Principia, though its resolution on sound principles was reserved for a distinguished geometer of our own time. To this circumstance Mr. Bland has not adverted, but contents himself with repeating Newton's solution, although it is confessedly grounded on erroneous principles and defective in every point of view. Yet, not the slightest hint to this effect escapes our author. The discussion of this problem forms a fine example of the equations of motion applied to *non-elastic* fluids; the determination of the laws, according to which sound is propagated, and the theory of wind instruments, as delivered by the same distinguished philosopher, furnish a beautiful application of these equations to *elastic* fluids, which is, of course, treated with equal neglect. It is difficult to suppose that a popular writer on mathematics, who has lectured on its various branches for upwards of twenty years, and who has so often held the highest and most responsible situations as a public examiner, should be ignorant of these researches; and yet, had he been acquainted with them, it is as difficult to conceive how he could have contrived to write a treatise extending to upwards of five hundred pages, without adverting to their existence.

3. *Erroneous Information.*

It requires no argument to show, that even omission is better than the bare repetition of other men's errors, however distinguished the writer from whence these errors emanate. We have already had occasion to observe incidentally on one case in which Mr. Bland appears not to have recognized this principle; we shall now state, more in detail, another instance.

The equilibrium of the fluid in capillary tubes is one of the hydrostatical phenomena, which have exceedingly embarrassed philosophers. The physical fact which constitutes its basis is universally known. If a plate of glass be plunged in water, then will the water rise up against the sides of the glass-plate; if two plates be immersed very near each other, the fluid will rise up to a considerable height between them, and be terminated by a curve surface; so also if, instead of two plates, we immerse a capillary tube. And the questions which this phenomenon suggests are these—to explain how the fluid is raised above the level; to estimate the force which sustains the fluid; to investigate the height to which it ascends; and, lastly, to determine the form of the surface which bounds the fluid.

It is easily shewn that glass attracts water, and that the particles of water attract each other, and that these attractions extend only to in-

sensible distances. Thus far there is no difficulty, and the details of Mr. Bland are, as they could scarcely fail to be, sufficiently satisfactory. How will these principles explain the raising of the fluid?

"ART. 674. Hence it is inferred, that the attraction of a capillary tube, when it exceeds the attraction of the fluid on itself, *exerts its influence only in raising the water immediately in contact with it;* which being thus raised, and forming an interior tube through its own attraction on the water, *raises and supports what is next in contact with it.*"

We request attention to the passages we have marked in Italics, and candidly acknowledge our own incompetency to understand a single word of the paragraph. It is in this manner that Mr. Bland disposes of the first part of the problem: to determine the force which raises the fluid, is the subject of a succeeding paragraph [677], a paragraph which has every possible fault. It begins by laying down a number of fictitious hypotheses, the whole process is exceedingly obscure and embarrassed, and it is fundamentally erroneous. True it is, that for this last particular, Mr. Bland is no other way blameable, than for having innocently transcribed the errors of others; no miracle, surely, that where the pupil so often writes by rote, the lecturer should occasionally catch the infection, and follow his example. Our limits do not permit us minutely to analyze this precious morsel; but it is assumed tacitly, first, that the attraction of the glass may act at any indefinite distance, in direct contradiction to what he had just shown; and secondly, that the fluid is raised by the *direct* attraction of a ring of glass immediately above it. This is precisely the *nodus* which has been the source of so much difficulty. Philosophers have been all along endeavouring to conceive how that could be, which was in direct contradiction to the plainest principles of mechanics. The effect of this attraction is *perpendicular to the sides* of the capillary tube; this follows from the first principles of mechanics—how then could this attraction produce any effect in a vertical direction; how could a force parallel to the horizon raise a fluid upwards? To conceive this impossibility, philosophers have, for upwards of a century, been imagining all kinds of devices. Had they contented themselves by simply admitting the natural effect of this attraction, and followed out this effort to its legitimate consequences, we should not have seen so many imaginary theories on the subject. The *direct* effect of the attraction is, to produce a force *perpendicular to the side of the tube,* in other words a pressure on the side of the tube. Now it is a fundamental principle of hydrostatics, that pressure is propagated equally by fluids in all directions. Hence a pressure is propagated along the sides of the tube in every direction, which pressure below the surface of the fluid is balanced by equal and opposite lateral pressures; but *at the surface* meeting with no resistance, it produces a vertical force upwards, which raises a ring of the fluid, which ring acts on the fluid below by cohesion, and the whole is thus supported above the general level. This is the true cause of the phenomenon; and the elevation of the fluid in the tube will be proportional to the quantity of fluid which this lateral force can sustain. This view of the physical cause of the capillary

phenomena we owe to Professor Leslie, and it leads by the simplest analysis to a complete theory. The beautiful formula of M. Laplace which establishes the relation between the force which supports the fluid and the curvature of the surface, is derivable from this consideration with the greatest facility. If K, H, be two constants, and r, r, the radii of curvature of two normal sections passing through any point of the surface at right angles to each other, then is this force expressed by the following formula:—

$$K - \tfrac{1}{2} H\left(\frac{1}{r} + \frac{1}{r'}\right)$$

Hence, availing ourselves of the differential expression for the sum of the reciprocals of the radii of curvature of two rectangular sections, and recollecting that if a fluid mass be in equilibrium, any canal terminated by its surface at both extremities will also be in equilibrium, the equation to the surface of the fluid in the capillary tube or between two planes, may be directly obtained.* This part of the inquiry Mr. Bland has altogether passed over.

"The labours of philosophers," says one of the ablest mathematical writers of the present day, "have discovered the facts of capillary action, which have been verified by innumerable experiments; but if the truth is to be told, it may be affirmed that reckoning back from the present time to the labours of the Florentine Academicians, the formula of Laplace, and the remark of Professor Leslie, relating to the lateral force, are the only approaches that have been made to a sound physical account of the problem." It is sufficient to add, that Mr. Bland, in writing an account of this problem, addressed expressly to the members of the greatest mathematical school in the world, has adverted neither to the one nor the other. We rise, therefore, from this part of his book without any feeling of regret that he has confined his view of the theory of fluids within such narrow limits. He doubtless felt no less than ourselves how desirable it was to extend the bounds of elementary knowledge, but he felt, also, his own incompetency for such a task, and he modestly declined it. We are convinced, indeed, that however dexterously Mr. Bland may resolve the last equation in a Johnian Freshmen examination, the texture of his mind is not sufficiently strong to grapple with the more delicate problems in physics, or the more complicated processes of analysis.

4.—*Clemenza, or the Tuscan Orphan, a Tragic Drama, in Five Acts.* By Whitelaw Ainslie, M. D. 8vo. Bath.

This is a better tragedy than any of those which we have lately seen, and ought not have sunk into entire neglect. With some few judicious alterations, it would make a good acting play, and that is a merit which is not common among the dramas of the present age. The story is interesting and well put together, and the characters, though not of a very marked and peculiar cast, are still sufficiently above common-place to

* Développemens de Géométrie par M. Dupin.

induce an audience to sympathize with their fortunes. It is no great charge against this drama to say there is no *poetry* in it. The great error of all the English writers for the stage is, that they look to the meed of the poet instead of the dramatist. It would be not amiss if, with all patches of poetry which are pinned on to modern plays, the use of exaggerated and poetic language were likewise abandoned. This drama, for instance, is one which would be exceedingly improved by being turned into animated prose. We cannot, however, dismiss this play without recommending to the author, to form juster notions of the folly of indulging in long and useless sorrow. Two of his principal female characters (we say nothing of the sameness) are represented as suffering from the effects of deep-rooted grief, and are so represented as to make such a passion appear virtuous and amiable to the mind of an unthinking reader. We know nothing more pernicious than the habit of giving way to the imagination under circumstances of distress, excepting the habit of representing such conduct as interesting and romantic.

5.—WALLADMOR. *Freely translated from the German.* 2 vols. 8vo. Taylor and Hessey.

IT appears that the great half-yearly book-fair at Leipsic cannot go on to the satisfaction of the parties concerned, without a new novel, professing to be translated from the pen of our British Unknown; and that, at the last Easter congress of continental booksellers, their high ally in Edinburgh had (mirabile dictu!) not supplied them with the legitimate means of gratifying this appetite. In such an emergency the alternative was obvious. It is to be hoped there are more "great unknowns" in the world than one; and it would be strange indeed if Germany had not her share of them—since mystery and mystification are the breath of their existence. Accordingly, to one of these the Berlin publishers applied, to furnish their stalls with a stipulated quantity of historical romance, fabricated after the true Scottish fashion, and to be fathered upon sir Walter Scott *by name:* for your German bookseller is a person provided with but a slender sense of etiquette; and moreover is probably impressed with a notion that, although that distinguished writer cannot be persuaded to confess to those works which every body considers as *his,* he may be less scrupulous in regard to those of other people. Be this as it may, however, the above bargain was made, the commodity manufactured and called Walladmor, and no doubt sworn to be genuine before the "Lord Mayor" of Leipsic—and the whole "Reading Public" of Germany hoaxed to their heart's content, as they have been on sundry similar occasions.

So far so good: And when we are told that "a work produced to the German public, and circulated with success under such assumptions, must naturally excite some curiosity in this country," we are not disposed to deny the proposition. But when, in addition to this we are assured that "it was judged proper" to translate into English the said source of curiosity, we are obliged to inquire *who* it was that so judged

—and to answer our own question by saying, we are sure the ingenious translator himself was *not* that person.

Having said thus much, we shall not be expected to enter into any very minute details, in regard to the merits and defects of Walladmor—especially as it appears, from the English translator's own account of his work, that, in order to gratify that laudable "curiosity" which called for his translation, he has contrived to present us with a something, the chief merit of which consists in its bearing no resemblance whatever to the object of our curiosity: in short (to adapt a familiar illustration used by the said translator), he would persuade us that he has placed in our hands "a silk purse," in order to gratify our curiosity touching "a sow's ear." How far this statement may be correct as regards the latter object, we are happily not in a situation to determine; but, for the "*silk* purse," we confess that its *materiel* seems to be of "a mingled yarn" at best, in which the worsted predominates at least as much as it did in sir John Cutler's stockings, after they had been darned during two years and three-quarters out of the three years which served to destroy their identity altogether. The reader must not understand from this that Walladmor, even in its English dress, bears no resemblance to the Scotch novels—on the contrary, it includes most of the defects of those entertaining works—having but little plot, and that little confused and broken into pieces; numerous descriptions, which occur just at those points of the story where we do not want them; a portentous dulness pervading nearly the whole of the first volume: add to these a rascally Hero, an insipid Heroine, and an insufferable Bore. To balance these defects, (defect in the thing imitated, but, of course, beauties in the imitation!) we have some lively dialogue, one or two spirited sketches of character, and a few very animated and picturesque descriptions both of scenery and of incident. If we are called upon to add in what particular this work bears the most marked resemblance to its Scotch prototype, we must say, in its *style*—a quality which, unless we are greatly mistaken, it did not borrow from its German original. And let us in justice not forget to mention, that it possesses one merit which "the author of Waverly" has never yet been able to achieve, and probably never will—it consists but of two moderate-sized volumes!

In concluding our notice of Walladmor, we must be allowed to add, that its English translator is evidently a person whose talents and acquirements fit him for higher employment than that of gratifying English curiosity in regard to German hoaxing. We will venture to say that, if we must have imitations of the Scotch novels (for which, to say the truth, we see no immediate occasion, since latterly the "Great Unknown" himself has supplied us with several) but if we must have them from other hands, too, this translator of Walladmor is better qualified to furnish them from his own resources, than all the German literati extant. But if he is determined to confine his efforts to the more easy task of translation, surely he might find something else than this to present us with from a literature, the cardinal virtue of which, and that which covers its multitude of sins is, its originality.

6.—*A Practical System of Algebra.* By P. Nicholson and J. Rowbotham. London. Baldwin, Cradock and Joy. 12mo. Pp. 316. 1824.

THIS very useful treatise is obviously written on the model of the late Mr. Bonnycastle's Algebra, and differs from it principally in exhibiting, along with the practice, a brief and condensed view of the theory. This part of the work is executed with considerable neatness. The examples are very numerous and well chosen. Many of them are taken from the works of Lacroix, L'Abbe Sauri, Don Benito Bails, Euler, Hirsch, Bangma, &c. We consider that this treatise deserves commendation for its gradual and successive development of the difficulties of this subject; thus enabling the student to perceive their nature more distinctly, and grapple with them more successfully.

7.—*Lisbon, in the years* 1821, 1822, *and* 1823. By Marianne Baillie, 2 vols. 12mo. Murray.

THESE are pleasant and unpretending little volumes—describing with simplicity what the writer sees, and reporting (also not without simplicity, but of another kind) a little too much of what she "is told." There is no pen like that of a married female (observe, we put the epithet as indispensable), for placing before us a clear, animated, unadorned, and unexaggerated picture of any thing in actual life that we have no other means of becoming acquainted with. If, in default of being able to examine for ourselves the manners and modes of life of any particular country, we would gain, as nearly as possible, *the same* impressions that we should gain if we *could* so examine them—we cannot do better than make friends with the correspondent of some lively, sensible, well-informed, and unaffected married female, who is sojourning among the scenes about which we are curious, and who has just confidence enough in herself not to interdict the showing of her epistles, and just vanity enough to indulge in a half hope that her tacit permission may not remain a dead letter. And such a lady seems to be the writer of these agreeable letters from Lisbon. She resided in that capital and its immediate neighbourhood at a period during nearly the whole of which it was agitated by important political events; and she describes, if not with a very vivid pencil, with one that seems to be at least faithful, first, the various novelties of scenery, manners, &c. that greeted her on her arrival; and afterwards, the various scenes connected with the political events just alluded to. She appears also to have had the means of gaining a very just notion of the state of manners among the higher classes of Portuguese in particular, and to have availed herself of those means in a judicious and impartial manner. And truly, if there needed any additional evidence of the utterly debasing and destructive effects of despotic institutions, no less on those who administer than on those who permit them, even these little unpretending volumes, that are written for nothing less, would furnish that proof. Indeed, considering the age in which we live, and the strides that civilization (using the term in its finest sense) has latterly been making throughout Europe, it is really astonishing to observe the worse than barbarous state in which the inhabitants of this beautiful city for the most part remain—a city of almost as easy access from our

own, as Edinburgh or Dublin. As the *filth* of the Portuguese—more particularly of those inhabiting the capital—seems to have always been the most striking and *interesting* point of their character, we shall extract a passage or two to show that those of the present day have not in the least degenerated. "Buenos Ayres" (this is a suburb to which the writer had retired on account of its comparative *cleanliness*)—"Buenos Ayres becomes more and more intolerable to me, and I fear I shall never be reconciled to a permanent residence here; but I endeavour to look on the bright side of every object both from duty and policy. There are some things, nevertheless, to which there is but one side, and that a very black one indeed. For example, the filthy state of most places in this neighbourhood. Imagine what it is to sit, as I do, night after night in the hotel, smelling Eau-de-Cologne, and burning dried lavender, to avoid being suffocated by the poisonous odours, which, rising from the street beneath, reach to the height of our windows, and penetrate even through the panes of glass. It has such an overpowering effect upon my nerves, that I have sometimes found it impossible to refrain from absolute tears of disgust. When we walk out, also, either to attend the English chapel, or to take a boat at the water-side, we are obliged to pass through such revolting paths, that my promenade becomes a sensible penance, an absolute state of physical suffering."

—"For three miles round Lisbon, in every direction, you cannot for a moment get clear of the disgusting effluvia that issues from every house. I seldom go out for this reason in the day-time; and about nine o'clock at night the case becomes absolutely too bad to bear, much less to describe. I do not wish to complain or exaggerate; but if I am to give you a picture of my Lisbon existence it ought to be a faithful one. I must speak the truth or be silent. And yet the power of habit, and a stronger bodily organization, will effect wonders. The residents appear very slightly sensible of this intolerable nuisance, and some of the natives actually enjoy it—boasting that it is good for the nerves, and acts as a preventative against the plague. What the noses of the Portuguese are made of I am at a loss to conjecture; and so will you be when I assure you that they dislike all perfumes, except Eau-de-Cologne; and also the scent of many of the most fragrant flowers. Mignonette they particularly abhor, and also geranium. One of my damsels, the other day, was fixing a bunch of the latter in my hair, and observed that it was 'a very pretty colour, but had a sad nasty smell!'"

The following description, in connexion with a convent into which the writer was admitted as a special favour, is a very pretty specimen of her style of relating what she sees and observes. "While I sat in one of the passage-rooms, waiting for the signal of the royal departure (she had been admitted as part of the train of a member of the royal family), the nuns crowded eagerly and inquisitively round me, asking various questions, and regarding me with looks of eloquent curiosity. Some of them spoke French; and one in particular seemed to regard me with peculiar benevolence. She was very young, with beautiful dark eyes. I could not forbear asking her if she was happy; to which she made the usual conventual reply—'The happiest creature possible!' She then inquired, in her turn, whether I liked their house, herself, and

the sisterhood: I answered in the affirmative, observing, that 'it would be difficult to be displeased with the latter, while they retained countenances of so much kindness and benignity.' This pleased them all, and the young recluse gently took my hand in hers, which she continued to hold until the last moment—standing beside my chair, and scarcely ever removing her bright eyes from my face; while, now and then, I felt her soft cheek pressed to mine, in a transport of juvenile fondness. She wished very much to know whether I should dislike to become one of their number, but offered no objections to my reasons for declining such a scheme—namely, that I was a wife and a mother. I wanted to have put a little ring upon her finger as a token of remembrance; but I found it would have been against the rules of their order, as none of the nuns are permitted to retain any worldly ornament. I then gave her my handkerchief; but this, being embroidered, was also considered as too fine."—"And my youthful friend contented herself by playfully cutting off a little piece of swansdown from a tippet I wore, which she put into her bosom, with a smile and a nod of her pretty head, as much as to say, 'I will keep this trifle for your sake.'"

We repeat, when this lady describes what she sees, her letters are very pleasant, unaffected, and to the purpose; but the fault of her volumes is, that they are too much taken up with anecdotes, stories, &c. which seem to depend entirely on, *I am tolds—it is saids*—and the like.—The work consists of two nicely-printed little volumes, each of which contains plates of costumes, &c. from drawings made immediately from the objects by the letter-writer herself.

8.—*Instructions in all Kinds of Gymnastic Exercises, &c.* 8vo. By a Military Officer. Whittaker, London.

An Elementary Course of Gymnastic Exercises, &c. 8vo. By Peter Henry Clias. Sherwood and Co., London.

THERE is scarcely any subject connected with the health and vigour of the human frame, to which the attention of the generality of mankind is less directed, than the scientific practice of bodily exercise, and yet there is none, perhaps, in this point of view, which more immediately demands it, or more forcibly points out the necessity of some systematic development of those physical powers with which nature has furnished us, and which are but too frequently allowed to lie dormant, and consequently remain incapable of contributing their intended share towards the establishment and maintenance of our general health, and to the performance of the tasks allotted to them with ease and dexterity.

The force of the truth of *mens sana in corpore sano* had its due weight with the ancients, with whom it was a subject of great national importance. The education of the Grecian youth would have been considered by them very defective without this important feature. The result was, that, in that country, the finest, the healthiest, and the most vigorous forms of the human frame were displayed. In contemplating these forms which have been transmitted to us through those noble productions of statuary which the moderns have hitherto failed to equal, we must confess the justice of the sentence which pronounces us a degenerate race.

Within these few years past, however, considerable progress has been made in Germany and Denmark towards reviving so essential a part of the art of education, and we have every reason to hope that the praiseworthy effects of this important popular institution, will extend their beneficial influence over every part of the civilized globe. Through the exertions of such men as Salzmann, Gutsmuth, and Jahn, the revival of legitimate gymnastic exercises has acquired very great popularity in Germany, and the youths who attend the gymnastic establishments which have been formed in many of its principal towns, and in numerous public and private schools, give very evident proofs of their salutary effects. Gutsmuth received considerable encouragement and support from the Danish government, which eventually issued "an order for allotting a space of two hundred square yards to every public school for the purpose of gymnastic exercises."

The Prussian government, also, took up the subject in a national point of view. The gymnastic establishment at Berlin became perhaps the most considerable in Germany, and it was a source of the utmost gratification to every well-wisher of the amelioration of the human species, to observe the manly, robust, and healthy appearance of the young men of whom it was composed. In the course of a few years, however, its professor (Jahn) was suspected of introducing *revolutionary* principles among his pupils, whence his Prussian majesty thought proper to abolish the institution altogether.

Though the subject has not hitherto been treated in this country as a national affair, still there is the utmost credit due to the duke of York for the countenance and patronage it has received from him by the introduction of a course of gymnastic exercises into the establishments of military education under his protection and control; and we trust the example will have its due weight with all who have the superintendance of either public or private establishments for the education of youth.

It may be argued, that the games and sports in general usage among the youth of this country, are fully capable of producing the same effects as a regular course of gymnastic exercises, but very little reflection is required to remove this erroneous opinion. The customary games, though they certainly contribute in some degree towards the maintenance of health and strength of body, are ill calculated to ensure the gradual development of all the muscular powers with which it is so remarkably provided. This can only be accomplished by a systematic course of exercise, which shall have equal influence over the whole body, which shall give to every muscle its full and proper action, and which shall consequently infuse an uniform degree of strength and elasticity into every portion of the human system. The games, on the contrary, formed by the boys themselves, are never guided by any principle, and are frequently productive of more harm than good, they sometimes give a full sphere of action to a portion of the muscles of one member, whilst the corresponding ones of another member are comparatively at rest and entirely neglected, and often through ignorance of the relative powers of the body and their proper application, they become the cause of bad habits and awkward motions.

The importance of establishing genuine gymnastic exercises as an

essential branch of education cannot be justly questioned, and we have great satisfaction in finding ample instruction and guidance on the subject in the two works before us, which we strongly recommend to the attentive consideration of all directors and masters of schools; and in so doing, we think it proper to give them some idea of the nature and character of each, so as to guide their choice according to their views of the subject and their want of materials to commence this important reform.

But it is not to youth at schools only that we recommend these exercises, but likewise to persons of a mature age, to all those who may wish to improve their health, appearance, and bodily faculties. Persons of sedentary habits, who so frequently complain of the injury their health sustains from the want of proper exercise, may now possess the means of acquiring vigour and energy of frame, by devoting a very small portion of the day to the practice of the most simple exercises, and this too in a garden, court, hall, or even room.

The first of the works which we have named at the head of this article, contains "Instructions in all kinds of Gymnastic Exercises," by a Military Officer, who seems to have paid considerable attention to this subject during a residence in Germany, and to have collected the most useful and popular exercises practised in that country. These instructions, which are in walking, running, leaping, vaulting, balancing, climbing, wrestling, &c., contain much to recommend them: they are simple and intelligible, arranged in progressive order, and in such a manner that every principal exercise is preceded by its preparatory one, and are so treated as to introduce various amusing and agreeable sports. This last circumstance will prove very acceptable to masters of schools who may have been apprehensive of any disinclination on the part of their pupils to devote a portion of their hours of recreation to the practice of exercises which were likely to interfere with their usual games. They also contain the plan of an exercise-ground, showing how all the materials for carrying on the exercises should be disposed so as to occupy the least possible quantity of ground, by which means, together with the various engravings, and explanatory matter, a master is enabled to establish the system without the aid of any professional teacher.

The other work is the production of Mr. Clias, professor of gymnastics at the academy of Bern, who has come over to this country for the express purpose of giving instruction in gymnastic exercises. He has met with considerable encouragement. The duke of York has introduced his exercises into the military establishment at Sandhurst, and Chelsea. His work, in which he evinces a thorough knowledge of the subject, we conceive to be of great utility to those directors of establishments for education, the gymnastic exercises in which are under the superintendance of either Mr. Clias himself, or of some person who has been regularly trained under him, the more so, as some of the exercises appear to us to be of rather too violent and complicated a nature. But to those who wish to be put at once in possession of the means of instituting a well-regulated system of gymnastic exercises, perfectly simple and innocent in themselves, and fully capable of producing all the important advantages which we have stated to be the result of this necessary re-

form in the present system of education, and to those also who wish to be put in the way of enjoying gymnastic exercises in private, we strongly recommend the Instructions published by a Military Officer.

9.—*A System of Algebraic Geometry.* By the Rev. Dionysius Lardner. London. Whittakers. Pp. 512. 1823.

We have no disposition to criticise about the name of a book, since every writer is, of course, at liberty to designate his lucubrations by any appellation which suits his fancy, however absurd or unmeaning it may be. Yet "Algebraic Geometry" is surely a very imperfect intimation of the scope of a work professing to embrace the whole theory of curves, and curve surfaces, and in which, therefore, the differential and integral calculus must needs enter very largely. Passing over this whim or caprice we find a volume full of ingenious mathematical speculations, embracing a variety of topics, and treating them, in general, with very considerable analytic neatness.

This is a part of science which, deriving its origin from a celebrated French philosopher, has subsequently received from the continental mathematicians its greatest development. Not to mention a horde of minor contributors, we have, in our own day, M. M. Monge, Hachette, and Dupin. If we study the works of these distinguished writers, we shall find that they have bestowed very little study on a great variety of topics, which our countrymen have thought worthy of their exclusive attention. The properties of individual curves, as the conchord, the cissoid, the various spirals, &c., or of whole classes, as determined in the writings of Maclaurin, Stirling, &c. are scarcely even noticed by them. And in this practice they have been guided by the soundest views of science, inasmuch as these properties whether particular or general, have no merit beyond a certain elegance which they are supposed to possess, and are utterly useless as instruments of investigation. Turning to the elementary treatises which during the last twenty years have been published in France, we shall find that these authors have almost exclusively confined their attention to the straight line and plane, curves and curve surfaces of the second degree. If we bear in mind that all inquiry into the nature of curves and surfaces ultimately resolves itself into the consideration of indefinitely small elements, and that these elements are either lines, planes, or curves and surfaces of the second degree, we shall acknowledge that they have pursued the most logical and legitimate course of investigation. If we recollect, for instance, that a surface may, in general, be touched at any of its points by a surface of the second order, and that all the properties of the former are at once deducible from those of the latter surface, as has been shown by M. Dupin, we shall be sensible of the great importance of a complete development of its properties. The more, in fact, we turn our attention to speculations either purely analytical or physical, the more we shall be convinced of the necessity of a thorough knowledge of these elements of curves and surfaces.

This view of the subject appears altogether to have escaped Mr. Lardner. If, indeed, he meant to deliver merely a collection of detached

and miscellaneous problems, we have not a single word to say in disparagement of his volume, and we may add that it is replete with very instructive studies. But if, as we must presume, he aimed at the higher object of delivering a complete view of the elements of analytic Geometry, there can be no doubt that he has laboured under very great misapprehension of the legitimate scope of his subject.

The rejection of extraneous materials forms no mean part of the sagacity necessary in writing a book of elements, a species of tact in which Mr. Lardner seems to be singularly deficient. To say nothing of at least half of the purely analytical portion of his labours, what can be said to that accumulation of physical questions, which he has introduced under the pretext of illustrating his principles? It is true that they are, in general, very creditable to the neatness with which the writer states his ideas, but what, in the name of common sense, put them here, unless he meant his book to be, what in fact he has contrived to make it, a mere assemblage of his common-places.

We object to the notation by which Mr. Lardner expresses the equation to a straight line. The ordinary form is much better adapted for showing distinctly its properties. We think that there was no necessity for bestowing so much consideration on oblique ordinates, since they are so rarely employed. If we were disposed to be fastidious, we might advert to certain expressions, which Mr. Lardner is in the habit of employing, such as "base angles," "intercepts," "bisectors;" and we candidly confess that without the aid of the context we should have been somewhat gravelled by such a problem as this—"To express the angle under two lines as a function of their equations and of the angle of ordination." [Sect. 4, prob. 7.] The introduction of a barbarous jargon like this, it appears to us, can answer no rational purpose.

Notwithstanding these remarks, we dismiss this volume with a favourable impression of Mr. Lardner's abilities. He possesses considerable mathematical ingenuity, is a zealous advocate of the modern analysis, and this in itself is a passport to our favourable regard; and when experience shall have somewhat chastened his judgment, we are persuaded that his ability to serve the cause of science will not be inferior to his zeal.

10.—*An Elementary Treatise on Optics.* By the Rev. Henry Coddington, Fellow of Trinity College, Cambridge. London. Whittaker. Pp. 192. 8vo.

We are persuaded from the notices contained in the preface, that Mr. Coddington's treatise on Optics has been printed from a mutilated manuscript. In what accident or negligence this unlucky circumstance may have originated does not appear, nor are we able to suggest even a conjecture; but the fact itself is so obvious, as to be beyond the possibility of a question. The author's promises are so liberal, and point to such rich and varied sources of intelligence, that the original copy must have been a very complete, and we can have no hesitation in believing, a very brilliant exposition of the phenomena of optics. A body of doctors, professors, lecturers, senior wranglers, such as Mr. Coddington has here assembled, could not have met in conclave without producing a splendid result. To ourselves, therefore, individually, the accident to which we

have alluded has been a matter of very serious regret, and cannot fail to be a source of equal disappointment and chagrin to Mr. Coddington's readers in general.

Mr. Coddington opens his preface by the very just and sagacious observation, "That Dr. Wood's elegant little treatise does not harmonize" with the present system of reading in the University: a remark in which we entirely concur, and which naturally prepared us to anticipate a very rich feast of analysis applied to optics; the researches of M. M. Malus, Arago, and Biot already glittered before us, dressed and so served up, and garnished after Mr. Coddington's best fashion. A very slight examination convinced us, that our entertainment was to be of a much less luxurious description than our host seemed to have promised. We are next informed, that a syllabus of optics, and a course of lectures by Mr. Whewell, form the basis of the treatise; and we presume from this source Mr. Coddington obtained the fundamental formula of reflected light, and the method of deducing the spherical aberration, by the aid of M'Laurin's theorem. If this be the fact, as we have reason to believe, we cannot but regret that Mr. Coddington had not drawn more freely from this source. These two particulars are the only novelties we have observed, and are in themselves sufficient to redeem a multitude of defects. Hayes's Fluxions are stated to have furnished "a good deal of information on Caustics," although in what manner Mr. Coddington has disposed of this information we cannot discover, as not a trace of it appears. "The greatest obligations are due to Dr. Young;" for what services we are equally at a loss; but our readers may rest entirely assured, that these obligations are not due for any contributions to the present volume. It would seem also, that "a very elegant article" was furnished "by John C. S. Lefevre, esq." which has undoubtedly slipped out of the copy sent to the printer, as we have expended several hours in bootless search after this precious morsel. And lastly it is added, that Dr. Wood's "elegant little treatise" was constantly on our author's table, a circumstance indeed which we could have readily inferred without any direct intimation, as its narcotic effects on Mr. Coddington's genius are sufficiently manifest.

From this statement it would appear, that Mr. Coddington was not aware, that such men as Huygens and Malus had written on optics. We unite the names of these illustrious philosophers, though chronologically separated by nearly two centuries; because, during this long interval, not a ray of light was thrown on the interesting and important class of phenomena which their discoveries so greatly illustrated: the only note we have of the speculations of M. M. Arago, Fresnel, Biot, and Dr. Brewster is contained in an Appendix, translated into very indifferent English, from the additions of M. Biot to Fischer's Physique Mécanique. This Appendix contains all the information Mr. Coddington has thought necessary on the double refraction and polarization of light, and nothing can be imagined more incomplete and unsatisfactory. One of the greatest deficiencies in Dr. Wood's treatise on Optics, is the imperfect description he has given of optical phenomena. Mr. Coddington has erred still further in this respect, for he has not even stated Newton's optical experiments, of which Dr. Wood had given some,

though a very unsatisfactory, account. It is admitted, indeed, "That the works of Newton contain a vast deal of information," to which Mr. Coddington immediately subjoins, "but that information is conveyed in such a shape, as hardly to be tangible to modern readers." We cannot but regret the delicate state of Mr. Coddington's intellectual nerves, and must be permitted to suggest that if "the present system of reading" have such a debilitating effect on the powers of the understanding, the sooner it be abandoned the better. We ought not, therefore, to feel any surprise, that a series of experiments and inductive reasonings, the most brilliant that ever adorned the domains of philosophy, should be passed over with the most slight and disparaging notices. Incomparably the ablest work on optics, which has been written since the "Lectiones Opticæ," is the article "Optique," in M. Biot's "Traité de Physique," and it is a work worthy of such a theme. Did Mr. Coddington never turn over its pages? He might have there found, without the trouble of wading through Newton's unreadable works, the substance of his discoveries and experiments set forth and illustrated by the most delicate analysis, and in the finest spirit of philosophy.

But why complain of defects; why prolong a catalogue of imperfections, for which perhaps the author is no way chargeable? His pathetic appeal to the "*benevolence*" of his readers, would disarm more hardened and sterner critics than we would willingly believe ourselves to be. In the mean time, therefore, we suspend our remarks, until the *lacunæ* shall be replaced, and the book perfected by those improvements, which Mr. Coddington, with the grace of a man more in the habit of holding conference with grave philosophy, than of disporting with the sallies of wit, laughingly insinuates, may "be perchance displayed in that desirable consummation, a second edition."

11.—*A Summary View of America, &c.* By an Englishman. London: 8vo. Cadell. 1824.

We owe an apology to this writer for omitting to notice his work in conjunction with those of Mr. Hodgson and "The English Gentleman," of which a brief account was given in our third number. We should not, however, have judged it of sufficient importance to have called for a separate critique, had not certain statements contained in the article we have mentioned and repeated in our last number, been called in question by this writer in a private communication which he has since addressed to us. We shall be obliged to any individual, for affording us the means of correcting an erroneous statement, and we thank this "Englishman" for his good intentions, although in the instances he has pointed out for amendment, we incline to believe that the mistake is entirely on his side. With respect to his objections, we have taken the trouble to obtain the most positive and satisfactory information, from quarters which, were we at liberty to mention them, would be deemed of the highest authority. With regard to the rate of wages in the United States, which is the subject of his first objection, we lay before our readers the following table which corroborates our representations to the letter. The reader will remember that New York is at the same time the most expensive of American cities, and that in which wages are prevented from remaining

at the permanent rate of other places, from the perpetual influx of emigrants.

Wages of Journeymen.

New York City—	House Carpenter	1·25 to 2·00	per diem:	finding himself.
	Ship do.	1·50 to 2·00	do.	do.
			according to skill, &c.	
	Common Labourer	1·00 to 1·50	do.	do.

New York and New England States—

Agricultural Labourer	℔ month	10·00 to 12·00	and furnished with board, washing, and lodging.	
Do.	do.	do.	20·00 in hay time.	
Do.	do.	diem	1·00 in	do. all found as above.

Provisions.

New York City—Mutton 7 to 8 cts. choice pieces, 6 to 6½ ℔ lb. for all together.
Beef 6 to gross cwt. for best, 7 cts. ℔ lb. on average.
Boston—Mutton 4½ cts. to 7 cts. ℔ lb. according to the part.
Beef, same as New York.
Fish, in all these places about 2 cts. per lb.
Potatoes, 25 generally New York, 30 cts. per bushel, Winchester.
Flour, 4 to 4½ cts. per lb.

The author is no less inaccurate when he tells us that, "it is unlawful in the slave states to teach a slave to read." That slaves are not in practice taught any of the arts by which the property of their owners might be rendered less secure, is a proposition of which we have no doubt; but the assertion respecting the illegality of instructing negroes is one of the numerous errors into which this writer has been betrayed by his confused ideas, though highly benevolent feelings, with regard to the institution of slavery. His objection to our position, as to the wide extension of elementary knowledge throughout the Union, is equally incorrect.

We should have been much pleased if our correspondent's letter had been concluded in more moderate terms. Although we think him neither a model of accuracy, nor an oracle of wisdom, we should be lothe to address him as "a blundering, ignorant fellow," or even to accuse him of the "bigotry and narrow-mindedness" which he has imputed to that great and enlightened legislator, Mr. Jefferson. The search after truth cannot but be impeded by this sort of dirt-flinging.

To prove that these remarks are not the effect of splenetic ill-temper, we shall now take the liberty of recommending "The Summary View" as a useful addition to our scanty knowledge of America. The author succeeds best where he keeps to the relation of facts; but the reader will so easily detect the errors in the speculative portions of the work, that we need not put him on his guard. The spirit of the book is excellent; a circumstance of itself deserving no little praise, when compared with the style of indiscriminating eulogy, or blind invective, which prevails in the accounts of most of this traveller's predecessors.

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ART. I. *On the Law of Libel; with Strictures on the self-styled Constitutional Association.* 8vo. pp. 73. London. John Hunt. 1823.

The Law of Libel. By Richard Mence, Esq. of the Middle Temple, Barrister. 8vo. 2 Vols. in one, pp. 595. London, 1824.

THE two publications which we have chosen to head this article, possess considerable merit, and we do not hesitate to recommend them to our readers, as worthy of an attentive perusal.

The first, though no name appears in the title-page, is the acknowledged production of a known and tried friend of the people. It consists of a series of essays, all of which, except the last, appeared nearly two years since in a weekly newspaper. It comprises a summary exposure of many of the abominations contained in what is called the Law of Libel, as well as in the administration of that Law; and a brief review of the acts of a body of men, now sunk into obscurity, who were at one time notorious under the name of the Constitutional Association. We will not say that the author has completely exhausted the subject; but we consider no small praise to be his due, for having said so much, and so much to the purpose, in the narrow compass within which, by the original design, he was unavoidably confined.

Mr. Mence's work attracted our attention, from being advertised as dedicated to the Constitutional Association. What might be expected from a work, appearing under such auspices, our readers have no occasion to be informed. We, however, had not proceeded far in the perusal, before we found Mr. Mence

to be, not a humble aspirant after ministerial patronage, content to lend himself to the purposes of those who would keep the human mind in perpetual bondage; but one who does not shrink from exposing, even at the risk of his professional success, the vices of existing institutions; one who dares give utterance to great and important truths, however little acceptable to the rich and powerful; and who would be, for that reason alone, deserving of high praise, had he executed his task with far less ability than he has displayed.

Without entering into a critical examination of the merits and defects of these two works, we embrace this opportunity of delivering our sentiments upon the highly important subject to which they refer: availing ourselves of the language of either or both of them, as often as it appears peculiarly adapted to our purpose.

We shall divide our remarks into two parts; in one of which we shall discuss the general question, to what extent restraints upon the freedom of the press can be considered as warranted by sound principles of political philosophy; and in the other, we shall take a brief review of the English Law, and of the doctrines of English Lawyers, on this subject: and we pledge ourselves to prove, that the Law of England is as unfavourable to the liberty of the press, as that of the most despotic government which ever existed; and, consequently, that whatever degree of that liberty is enjoyed in this country, exists, not in consequence of the law, but in spite of it.

The general question has usually been disposed of in a very summary way. It has, in fact, been regularly assumed, first, that to employ the press in any other than a certain manner, is inconceivably wicked; and secondly, that, for this reason, it is the duty of the magistrate to prevent it, by fine and imprisonment, if not by means still more certainly and more promptly effectual.

The author of the article "Liberty of the Press," in the Supplement to the Encyclopædia Britannica, has, however, set the example of rather a different sort of reasoning; and (what was never completely or consistently done before) he has pointed out the considerations on which this question really turns. We have no higher ambition than that of treading in his steps; and, taking his principles as our guide, we shall endeavour to unravel the sophistry, and expose the mischievous designs of the enemies to free discussion.

That the press may be so employed as to require punishment, we are very far from denying: it may be made the instrument of almost every imaginable crime.

"There is scarcely a right,* for the violation of which, scarcely an operation of government, for the disturbance of which, the press may not be employed as an instrument. The offences capable of being committed by the press are indeed nearly coextensive with the whole field of delinquency.

"It is not, however, necessary to give a separate definition of every such violation or disturbance, when committed by the press, for that would be to write the penal code a second time; first describing each offence as it appears in ordinary cases; and then describing it anew for the case in which the press is the particular instrument.

"If, for the prevention of the violation of rights, it were necessary to give a separate definition, on account of every instrument which might be employed as a means of producing the several violations, the penal code would be endless. In general the instrument or means is an immaterial circumstance. The violation itself, and the degree of alarm which may attend it, are the principal objects of consideration. If a man is put in fear of his life, and robbed of his purse, it is of no consequence whether he is threatened with a pistol, or with a sword. In the deposition of a theft, of a fraud, or a murder, it is not necessary to include an account of all the sorts of means by which these injuries may be perpetrated. It is sufficient if the injury itself is accurately described. The object is, to prevent the injury, not merely when produced by one sort of means or another sort of means, but by any means.

"As far as persons and property are concerned, the general definition of the acts by which rights are liable to be violated, has always been held sufficient; and has been regarded as including not less the cases in which the instrumentality of the press has been employed, than those in which any other means have been employed to the same end. Nobody ever thought of a particular law for restraining the press on account of the cases in which it may have been rendered subservient to the perpetration of a murder or theft. It is enough that a law is made to punish him who has been guilty of the murder or theft, whether he has employed the press or any thing else as the means for accomplishing his end.†

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* Article "Liberty of the Press" (in the Supplement to the Enc. Brit. near the beginning). This invaluable essay is from the pen of Mr. Mill, the historian of British India.

† Montesquieu saw pretty clearly the only case in which the expression of opinions and sentiments could be a fit object of punishment: although he did not venture to extend the doctrine further than to the case of *words*, and even among words, only to these which are called treasonable.

There are some species of acts, however, of which the press if not the sole, may, at any rate, be regarded as the most potent instrument: these are, the publication of facts, and the expression of opinions; and to one or other of these heads belong those uses of the press, against which the Law of Libel is principally directed.

It is not pretended that, in the language of English Law, the word Libel is strictly confined to one meaning. It includes, on the contrary, a number of acts, of a very heterogeneous nature, resembling one another scarcely at all, except in having penalties attached to them by the authorized interpreters of the law. A threatening letter, demanding money, is a libel. An indecent picture is a libel. For the present, however, we may confine our remarks to the question regarding the publication of facts and the expression of opinions.

To begin with the latter. If the magistrate is to be intrusted with power to suppress all opinions which he, in his wisdom, may pronounce to be mischievous—to what control can this power be subjected? What security is it possible to take against its abuse? For without some security all power, and of course this power, is sure to be abused, just as often as its abuse can serve any purpose of the holder.

It is the boast of English lawyers that the offence of treason is defined; so strictly defined, that nothing is ambiguous, nothing arbitrary, nothing left to the discretion of the judge. This, they tell us, is one of the chief bulwarks of our liberty: implying, that if it *were* left to the judge to say what should, and what should not be treason, every thing would be treason which the government did not like. Yet why should definition be required in the case of treason, not required in the case of libel. Is the government less interested in misdecision? Is the judge less dependent on the government? Is a packed special jury less subservient? Or are the judge and jury angels when they judge of libel, men only when they judge of treason?

It would be hardy to assert, that to give the right of pro-

"Les paroles qui sont jointes à une action, prennent la nature de cette action. Ainsi un homme qui va dans la place publique exhorter les sujets à la révolte, devient coupable de lèse-majesté, parceque les paroles sont jointes à l'action, et y participent. Ce ne sont point les paroles que l'on punit; mais une action commise dans laquelle on emploie les paroles. Elles ne deviennent des crimes, que lorsqu' elles préparent, qu'elles accompagnent, ou qu' elles suivent une action criminelle. On renverse tout, si l'on fait des paroles un crime capital, au lieu de les regarder comme le signe d'un crime capital."—*Esprit des Lois*, liv. xii. ch. 12.

nouncing upon libels to the judge, is any thing more than another name for giving it to the government. But there are many subjects, and these the most important of all, on which it is the interest of the government, not that the people should think right, but, on the contrary, that they should think wrong: on these subjects, therefore, the government is quite sure, if it has the power, to suppress, not the false and mischievous opinions, but the great and important truths. It is the interest of rulers that the people should hold slavish opinions in politics: it is equally so, that they should hold slavish opinions in religion: all opinions, therefore, whether in politics or religion, which are not slavish, the government, if it dares, will be sure to suppress. It is the interest of rulers that the people should believe all their proceedings to be the best possible: every thing, therefore, which has a tendency to make them think otherwise, and among the rest, all strictures, however well deserved, government will use its most strenuous exertions to prevent. If these endeavours could succeed, if it could suppress all censure, its dominion, to whatever degree it might pillage and oppress the people, would be for ever secured.

This is so palpable, that a man must be either insincere or imbecile to deny it: and no one, we suppose, will openly affirm that rulers should have the power to suppress all opinions which they may call mischievous—all opinions which they may dislike. Where, then, is the line to be drawn? At what point is the magistrate's discretionary power of suppressing opinions to end? Can it be limited in such a manner as to leave him the power of suppressing really mischievous opinions, without giving him that of silencing every opinion hostile to the indefinite extension of his power?

It is manifest, even at first sight, that no such limit can be set. If the publication of opinions is to be restrained, merely because they are mischievous, there must be somebody to judge, what opinions are mischievous, and what the reverse. It is obvious, that there is no certain and universal rule for determining whether an opinion is useful or pernicious; and that if any person be authorized to decide, unfettered by such a rule, that person is a despot. To decide what opinions shall be permitted, and what prohibited, is to choose opinions for the people; since they cannot adopt opinions which are not suffered to be presented to their minds. Whoever chooses opinions for the people, possesses absolute control over their actions, and may wield them for his own purposes with perfect security.

It thus appears, by the closest ratiocination, that there is no

medium between perfect freedom of expressing opinions, and absolute despotism. Whenever you invest the rulers of the country with any power to suppress opinions, you invest them with *all* power; and absolute power of suppressing opinions would amount, if it *could* be exercised, to a despotism far more perfect than any which has yet existed, because there is no country in which the power of suppressing opinions has ever, in practice, been altogether unrestrained.

How, then, it may be asked, if to have any power of silencing opinions is to have all power—since the government of Great Britain certainly has that power in a degree—how do we account for the practical freedom of discussion, which to a considerable extent undoubtedly prevails in this country? The government having the power to destroy it, why is it suffered to exist?

Why? For the same reason, for which we have a habeas corpus act, with a government possessing the power to suspend or repeal it: for the same reason for which a jury is sometimes allowed to acquit a prisoner, whom the aristocracy wish to destroy: for the same reason for which we are not taxed up to the highest amount which could be extorted from us, without impairing our power of being useful slaves. The aristocracy do not submit to these restraints because they like them, but because they do not venture to throw them off. This is conformable to the theory of the British constitution itself.

Even a Turkish Sultan is restrained by the fear of exciting insurrection. The power of shackling the press may, like all other power, be controlled in its exercise by public opinion, and to a very great, though far from a sufficient, extent, it has been and is so controlled in Great Britain. By law, however—notwithstanding the assertions of lawyers, which assertions, when it suits them, they never scruple to contradict—liberty of discussion, on any topic by which the interests of the aristocracy can be affected, does not exist at all in this country, as we have already shewn, upon general principles, and shall prove in the sequel from the actual words of the highest legal authorities.

The preliminary inquiry, however, would not be complete, unless, having discussed the consequences of restraining the press, we were also to inquire what would be the consequences of leaving it free.

It is evident, at first sight, that, whatever might be the evils of freedom, they could not be worse than the evils of restraint. The worst that could happen, if the people chose opinions for themselves, would be, that they would choose wrong opinions.

But this evil, as we have seen, is not contingent, but unavoidable, if they allow any other person to choose opinions for them. Nor would it be possible that the opinions, however extravagant, which might become prevalent in a state of freedom, could exceed in mischievousness those which it would be the interest, and therefore the will, of rulers, to dictate: since there cannot be more mischievous opinions, than those which tend to perpetuate arbitrary power. There would, however, be one great difference. Under a free system, if error would be promulgated, so would truth: and truth never fails, in the long run, to prevail over error. Under a system of restraint, the errors which would be promulgated from authority would be the most mischievous possible, and would not be suffered to be refuted.

That truth, if it has fair play, always in the end triumphs over error, and becomes the opinion of the world, is a proposition which rests upon the broadest principles of human nature, and to which it would be easy to accumulate testimonials from almost every author, whatever may be his political leanings, who has distinguished himself in any branch of politics, morals, or theology. It is a proposition which the restrictors themselves do not venture to dispute. They continually protest, that their opinions have nothing to fear from discussion; the sole effect of which, according to them, is, to exhibit their irrefragable certainty in a still stronger light than before. And yet they do not scruple to punish men for doing that which, if their own assertions be correct, merits not punishment, but reward.

Although, however, the worst enemies of discussion, do not deny, as a general proposition, its tendency to unveil the truth, there is a certain number of subjects on which, if they are to be believed, discussion tends, not to enlighten, but to mislead. Among these are all the subjects on which it is the interest of rulers that the people *should* be misled; the political religion of the country, its political institutions, and the conduct and character of its rulers.

On the first of these topics, we have delivered our opinions so fully in our third number, that we shall in the present confine ourselves principally to the three latter: all of which substantially resolve themselves into one.

That there is no subject of greater importance, no one needs to be told: and to say this, is to say that there is no subject on which it is of greater importance that the people should be rightly informed. As the stability of a good government wholly depends upon its being acknowledged by the people to be good, so, on the other hand, the reform of a bad one wholly depends upon its being believed by the people to be

bad. In the correctness of the estimate which the people form of the goodness of their government, their whole happiness is involved; since misgovernment includes every misery which is capable of afflicting mankind: and misgovernment is alike the consequence, whether the people believe a good government to be a bad one, or a bad government to be a good one.

We have been thus particular in laying down first principles, because the language held on this subject by rulers implies, that it is indeed the greatest of calamities, for the people to believe a good government to be bad, but that their considering a bad government to be good, is no evil at all, or at most a very trifling one. The evil, however, as we have already observed, is in both cases the same; or rather, the one is an evil, chiefly because it leads to the other: that the people should think ill of a good government is principally to be lamented, because it may occasion their acquiescence in a worse.

If, therefore, there be any subject on which the people cannot, without the greatest danger, trust the power of choosing opinions for them out of their own hands, it is this. And if such power cannot safely be given to any one, least of all can it be given to the rulers of the country.

If the people were compelled to take their opinions implicitly from some one who might have an interest in persuading them that their government is worse than it is, the greatest evils, it is admitted, would be the consequence. To think ill of a good government, and well of a bad one, are evils of equal magnitude. If, therefore, the privilege of dictating opinions to the people, on the subject of their government, be intrusted to persons interested in persuading them that their government is better than it is, the mischief cannot consistently be affirmed to be less. That rulers are so interested, will not be denied. What inference, then, are we to draw? or rather, how can the inference be evaded, that, if rulers are suffered to choose what opinions the people shall hold concerning their government, all the evils of misrule are rendered perpetual?

Such a choice, however, is made by rulers, as often as they inflict punishment upon any person for criticizing institutions, or censuring the conduct of government: unless they are willing to prohibit, under equal penalties, the expression of praise.

To forbid the expression of one opinion, and give encouragement to that of another, is surely to make a choice. To punish censure of rulers, while praise is permitted, is to say, 'tis fit that the people should think well of their government, whether good or bad; and to take the most effectual mode of compelling them to do so.

Against this reasoning it is impossible that any rational objection can be urged. Cavils, indeed, may be brought against it: but there are few conclusions of equal importance, the proof of which affords so little hold even for cavil.

When it is asserted, that to restrain discussion is to choose opinions for the people, and that rulers, if permitted to dictate opinions to their subjects, having an interest in choosing the most mischievous of all opinions, will act as that interest directs; there is only one objection which can by possibility be raised. It cannot be said, that to fetter discussion is not to choose opinions, nor that rulers are not interested in making a bad choice. But, it may be said, that our rulers are men in whom the confidence of the people may be reposed; and that, although it be confessedly their interest to make a bad choice, they will disregard that interest, and make a good one.

To such a pinnacle of absurdity men may always be driven, when they attempt to argue in defence of mischievous power. They begin by boldly denying the possibility of abuse: when this can no longer be maintained, they fly for refuge to the characters of the individuals, and insist with equal pertinacity, that in their hands power may be trusted without fear of being abused. This is a compliment of which the rulers for the time being, be they who they may, always receive as much as they can pay for: dead rulers are not so fortunate. That all rulers in time past abused their power when they could, is allowed: but an exception is made in favor of the present. This is a species of reasoning, however, which will pass current with nobody in the present day: we cannot be forced back to the times when rulers were thought not to be made like human beings, but to be free from all the passions and appetites by which other men are misled. If uncontrolled power can exist, and not be abused, then away with the British, and all other constitutions, and let us return to the despotism of our wise and venerable ancestors. But if men will abuse all other powers, when unrestrained, so they will that of controlling the press: if rulers will avail themselves of all other means to render themselves despotic, they will not pass over an expedient so simple and effectual as that of suppressing, in as far as they dare, all opinions hostile to the extension of their authority. And perfect freedom of discussion is, as we have already proved, the only alternative.

The objections which have been urged against the principle of free discussion, though infinitely diversified in shape, are at bottom only one assertion: the incapacity of the people to form correct opinions. This assumption is indeed the strong-

hold of all the disguised or undisguised partisans of despotism. It has been the unremitting, and hitherto, unhappily, the successful endeavour of rulers, to make it be believed that the most dreadful calamities would be the effect of any attempt to obtain securities that their power should be employed for the benefit, not of themselves, but of the community. With this view, it has been their uniform practice to vilify those whom they are striving to enslave. If the people were permitted to choose opinions for themselves, they would be sure, it is alleged, to choose the most mischievous and dangerous opinions. Being utterly incapable either of thinking or of acting for themselves, they are quite sure, unless kept in awe by priests and aristocracies, to become blind instruments in the hands of factious demagogues, who would employ them to subvert all establishments, and to throw every thing into the wildest anarchy and confusion. This language, by the way, is a practical illustration of the impartiality of the Law of Libel. It restrains all declaration, even of unfavourable truth with regard to the aristocracy: it gives full indulgence, and there is plenty of encouragement, to the propagation of all manner of unfavourable lies against the people. The conspiracy have thus all that is necessary for their purpose. Give a dog a bad name, and hang him: so they try with the people. Whether the object be to coerce them by standing armies, or to muzzle them by libel law, the motive always is pure loving-kindness, to save the unoffending, that is, the aristocratic part of mankind, from the jaws of those ravenous wolves and tigers, the people.

Such a language is calculated to act upon men by their fears, not by their reason: otherwise a little reflection would show, that the incapacity of the people, were it admitted, proves nothing, or, at least, nothing to the purpose. The practical conclusion would be the same, even if the people were so destitute of reasoning power, as to be utterly incapable of distinguishing truth from falsehood: since there is no alternative, but to let them choose their own opinions, or to give the choice to persons interested in misleading them.

An ignorant man, even if he decide at hap-hazard, has at least a chance of being sometimes in the right. But he who adopts every opinion which rulers choose to dictate, is always in the wrong, when it is their interest that he should be so, that is, on the most momentous of all topics.

Another question, which it does not suit those who make the ignorance of the people a plea for enslaving them to put, is, why are they ignorant? because to this question there can be only one answer, namely, that if they are ignorant, it is pre-

cisely because that discussion, which alone can remove ignorance, has been withheld from them. And although their masters may find it convenient to speak of their ignorance as incurable, we take the liberty of demurring to this conclusion, until the proper remedy shall have been tried. This remedy is, instruction: and of instruction, discussion is the most potent instrument. Discussion, therefore, has a necessary tendency to remedy its own evils. For the evils which spring from an undue veneration for authority, there is no such cure: and the longer the disease continues, without the remedying influence of discussion, the more inveterate it becomes.

But, the assertion itself, by which so many terrors have been conjured up — the incapacity of the people to choose correct opinions—upon what evidence does it rest? Upon history? No: for history proves, that just in proportion as the people have been permitted to choose opinions for themselves, in that proportion have they been moral, intelligent, and happy: and it is precisely in those countries in which the greatest pains has been taken to shut out discussion, that the people, when once roused from their habitual apathy, have proved themselves to be most ignorant and ferocious. No people which had ever enjoyed a free press, could have been guilty of the excesses of the French Revolution. By what artifices, then, have governments contrived to spread a vague apprehension of danger from discussion so widely among the unthinking part of mankind? By availing themselves of that universal law of human nature, by which men are prone to dread whatever they do not understand, and they who foresee the least, uniformly fear the most. The evils which they endure, habit has rendered tolerable: but change, because they cannot foresee its consequences, is the object of their terror and aversion. And though history does not prove that discussion produces evil, but the contrary, there is abundant proof from history, that it produces change: change, not indeed in any thing good, but in every thing that is bad, bad laws, bad judicature, and bad government. That it leads to such changes is the very reason for which it is most to be desired, but it is also the reason why short-sighted persons hold it in terror.

Nor is there any difficulty in convincing the understanding of any one who will coolly apply his attention to the subject. The real difficulty is, to quiet fears. We cannot confide in persons whose fears appear to us to fall always in the wrong place. Nothing is more to be feared than a habit of fearing, whenever any thing is proposed for the good of mankind. The man who is always fearing evil to the many from the

many, never from the few, appears to us an object of very rational fear.

The ignorance of the people is a mere pretext for a line of conduct which would have been equally pursued without any such pretext. This appears from the little regard paid to it in the practice of rulers themselves. The proper course in regard to ignorant persons, they say truly, is to guard them against deception: now, as rulers dare not openly lay claim to impeccability, they cannot deny that there may be deception on both sides: on the side of praise, as well as on the side of blame. To praise, however, both of rulers and of institutions, the most unlimited latitude has been given: censure alone has been restricted. Every one is free to represent the government and its functionaries as better than they are; and that to any extent: but woe to him who presumes, with whatever truth, to cast any blame upon either! Does this look as if it were believed that the people are ignorant? No! it looks as if it were feared that they would be too clear-sighted.

It seems not very consistent, in those whose case rests wholly upon the people's incapacity of judging, to propose as a remedy for that incapacity, that nothing but an ex-parte statement should be presented to them. Is incapacity to judge cured by hearing only one side? Is ignorance remedied by placing it in a situation where the most perfect wisdom could scarcely escape being misled? To make the ignorance of the people a pretext for refusing them the means of judging, when it is precisely on account of their ignorance that they stand most in need of those means, would excite laughter, if it did not excite indignation. In other countries, it is maintained that the people ought not to judge of public affairs. To prevent them from hearing evidence, therefore, is, at any rate, consistent. In this country it is admitted that the people should judge; and it is, nevertheless, asserted, that they should hear only one side!

To support this monstrous absurdity, there is, in addition to the grand assumption of the incapacity of the people, another question which it has been customary to beg. This is, that the people hate their rulers, and are strongly disposed to judge unfavorably, both of them and of their actions. So utterly false is this assumption, that, on the contrary, there is no fact to which the testimony of experience is more unvarying, than to the strong disposition of the people, to think much better of their rulers and of their institutions than they deserve. The love of ease, perhaps the strongest principle of human nature, and beyond all comparison stronger, in the majority of mankind, than the hope of any remote and contingent advantage, is con-

stantly urging them to avoid innovation, and rest satisfied with things as they are: with what success, every one has it in his power to observe. Who is there that has not seen a hundred instances of evil needlessly endured, for one of good wantonly abandoned and evil adopted? Is there, then, no inconsistency in supposing that in public matters the case is directly reversed? Nor is the love of ease the only principle which is constantly in operation, to warp the judgments of the people in favour of their rulers. He must have looked at mankind with a resolution not to see the truth, who can be blind to the excessive veneration of the poor for title, rank, and riches, a veneration arising from the habitual propensity of mankind to over-estimate advantages which they do not possess; and which was enumerated by Adam Smith among the most fertile sources of false judgments in morality which could be named. With these two principles strongly on one side, and nothing but reason on the other, knowledge must be far advanced among the people before they learn to venerate rulers only as far as they deserve veneration. Accordingly, all history bears testimony to the constancy with which the most dreadful mis-government has been suffered to prevail in almost every country of the globe: but the advocates of restriction may safely be challenged to produce one instance from history, in which the people have risen against a good government and overthrown it.

So strong, and so durable, is the veneration of the people for their rulers: nor has it ever yet been eradicated by anything short of the most grinding oppression. What epithet, then, can be too severe for the conduct of those who would prevent this feeling from giving way, like all other mischievous feelings, with the progress of civilization; who would deny a hearing to opinions and arguments which tend to weaken the inordinate reverence of the people for every ruler, good or bad, and give free scope to those which tend to render that blind reverence, and all its consequent miseries, everlasting!

Although our sentiments on the subject of free discussion in religion have already been fully stated, we will quote one passage from an essay to which we have before referred:* merely to show that the same arguments apply to religion, which we have already stated with a more immediate reference to politics:

"Religion, in some of its shapes, has in most countries been placed on the footing of an institution of the state. Ought the

* The Article "Liberty of the Press," near the end.

freedom of the press to be as complete with regard to this, as we have seen that it ought to be in regard to all other institutions of the state? If any one says that it ought not, it is incumbent upon him to shew, wherein the principles which are applicable to the other institutions, fail in their application to this.

"We have seen, that, in regard to all other institutions, it is unsafe for the people to permit any but themselves to choose opinions for them. Nothing can be more certain, than that it is unsafe for them to permit any but themselves to choose for them in religion.

"If they part with the power of choosing their own religious opinions, they part with every power. It is well known with what ease religious opinions can be made to embrace every thing upon which the unlimited power of rulers and the utmost degradation of the people depend. The doctrine of *passive obedience* and non-resistance was a *religious doctrine*. Permit any man, or any set of men, to say what shall and what shall not be religious opinions, you make them despotic immediately.

"This is so obvious, that it requires neither illustration nor proof.

"But if the people here, too, must choose opinions for themselves, discussion must have its course; the same propositions which we have proved to be true in regard to other institutions, are true in regard to this; and no opinion ought to be impeded more than another, by any thing but the adduction of evidence on the opposite side."

The argument drawn from the unsafeness of permitting governments to choose a religion for their subjects, cogent as it is, ranks only as one among a host of arguments, for leaving the people to follow their own reason, in matters of religion, as in every thing else.

In an age when the slightest difference of opinion on such a subject was deemed a perfectly sufficient reason for bringing the unhappy minority to the stake, it was not wonderful that Infidelity also should be considered a crime. But now, when a Churchman no more thinks of persecuting a Calvinist, or a Calvinist of persecuting a Churchman, than we think of punishing a man because he happens to be taller, or shorter, than ourselves; it is truly strange that there should be any one who can so blind himself as not to see, that the same reasons which make him a friend to toleration in other cases, bind him also to tolerate Infidelity.

The expression of opinions having been disposed of, it remains to be considered, whether in any case there is sufficient reason for placing restrictions upon the statement of facts. It

must be admitted that the case of facts, and that of opinions, are not precisely similar. False opinions must be tolerated for the sake of the true: since it is impossible to draw any line by which true and false opinions can be separated from one another. There is no corresponding reason for permitting the publication of false statements of fact. The truth or falsehood of an alleged fact, is matter, not of opinion, but of evidence; and may be safely left to be decided by those, on whom the business of deciding upon evidence in other cases devolves.

It is maintained, however, by lawyers, that there ought to be other restrictions upon the statement of facts, besides the punishment of falsehood: there being some facts, as they allege, which, even if true, ought not to be made public. On this it is to be observed, that the same reasoning which proves that there should be perfect freedom of expressing opinions, proves also that there should be perfect freedom of expressing true facts. It is obviously upon facts, that all true opinions must be founded; if rulers, therefore, have, on any subject, on their own conduct, for example, the power of keeping from the knowledge of the people all facts which it does not suit them to disclose, they do, in fact, choose opinions for the people on that subject, just as completely as if they assumed the power of doing so, by a positive enactment.

There is one case, and only one, in which there might appear to be some doubt of the propriety of permitting the truth to be told without reserve. This is, when the truth, without being of any advantage to the public, is calculated to give annoyance to private individuals. That there are such cases must be allowed; and also that it would be desirable, in such cases, that the truth should be suppressed, if it could be done by any other means than law, or arbitrary power. It must, however, be borne in mind, that, if there are cases in which a truth unpleasant to individuals is of no advantage to the public, there are others in which it is of the greatest; and that the truths which it most imports to the public to know, are precisely those which give most annoyance to individuals, whose vices and follies they expose. Tory lawyers, indeed, for whom no doctrine is too extravagant which tends to uphold their power, or that of their employers, have asserted that one man has no right whatever to censure another: that to do so is an act of judicial authority which no individual is entitled to exercise: and that to expose vices and follies, instead of being one of the most important of all services to mankind, is a gross and unwarrantable usurpation of superiority.* We hope that none but

* See Holt on the Law of Libel, *passim*.

Tory lawyers are hardy enough to profess concurrence in doctrines like these. Since, then, there is no one who can be trusted to decide which are useful, which the unimportant truths; and the consequences of suppressing both would, beyond comparison, exceed in mischievousness the consequences of allowing both to be heard; the practical conclusion needs not to be stated.

We have yet to notice a shift, to which recourse has frequently been had, since the spread of liberal opinions has rendered it scarcely safe to acknowledge the same degree of enmity to discussion, which was formerly avowed. We allude to the doctrine, that *calm* and *fair* discussion should be permitted, but that ridicule and invective ought to be chastised.

This is so much the doctrine which has been fashionable of late, that most of our readers probably believe it to be the law: and so, according to the *dicta* of judges, it is: but according to other *dicta* of the same judges, it is also the law, that any discussion, unless it be all on one side, and even a bare statement of acknowledged facts, is a libel.

The doctrine, however, being as we have said, a fashionable one, it is necessary to say something on it; and we observe, in the first place, that if argument may be permitted with safety, there can be little hazard in tolerating ridicule and invective; since, on all questions of importance, it is, in the long run, the balance of argument which always determines the decision of the majority. First, from the very nature of the weapons themselves: the operation of invective and ridicule being in a great measure limited to those whose minds are already made up. They may stimulate partizans, but they are not calculated to make converts. If a man does not renounce his opinion from conviction, it is scarcely by hearing himself laughed at, or reviled for holding it, that he will be prevailed upon to give it up. Such means usually have no effect but to make him adhere to his opinion still more pertinaciously than before. And secondly, because ridicule and invective, if they may be used on one side, may be used also on the other; and against falsehood, for obvious reasons, with greater effect than against truth.

In the next place, if exclusion is to be put upon ridicule and invective, why is it not impartial? If any advantage can be derived from the employment of such weapons, why is it permitted to one set of opinions, withheld from another? Or is it that ridicule and invective then only tend to mislead, when they are employed on the side adverse to rulers? To deny any advantage to censure, which is extended to praise, is the same thing, though in a less aggravated degree, with the total prohi-

bition of censure. Its effect, in as far as it has any, is to give an undue preponderance to praise: its tendency is, to make the people think better of their rulers than they deserve; and, to that extent rulers are enabled to oppress with impunity.

Suppose, for instance, that a writer is permitted to say, in as many words, that ministers or parliament have acted improperly, have engaged, for instance, in an unjust war; but, if he says this, and moreover expresses indignation that it should be so, he is punished. By expressing indignation, he gives it to be understood, that the evil, in his opinion, is great, and its authors deserving of punishment. If he refrains from expressing indignation, he virtually says, that the evil is not great, and its authors not deserving of punishment. Is it of no consequence, then, that the public should be informed, whether an evil is great or small? whether its authors are criminal, or the reverse? We fully subscribe to the manly and liberal sentiments of Mr. Mence on this subject. "It is not only no crime, but a positive duty, never to state crimes drily and coldly, and without the language of just and honest indignation. And our law, or supposed law of libel, by repressing the exercise of this duty, ministers to and encourages every kind of vice; and corrupts and undermines the manners and morals of the people." i. 162.

Great as are these evils, they are not the greatest which the prohibition of ridicule and invective carries along with it: nor is it for the mere purpose of securing exclusively to themselves any advantage which such weapons can bestow, that rulers cling so closely to the privilege of putting them down. It is because they know well that, if they are permitted to suppress ridicule and invective, they have it in their power to suppress all unfavourable representation. Who is to judge, what is invective, and what is fair and temperate discussion? None but rulers themselves: for no line can be drawn. All censure is invective. To censure is to ascribe misconduct. Even error is misconduct, in those to whose management the great affairs of a community are intrusted. When to err is to put to hazard the welfare of a nation, it is a crime for those who cannot avoid error to remain at the helm. To impute even error, therefore, is equivalent to invective, and might be construed as employing it. The mere statement of a great crime is itself invective. It implies, and is meant to imply, moral guilt: if it fails of doing so, the statement is so far imperfect. It is impossible, therefore, to prohibit invective, without prohibiting all discussion, or leaving it to rulers to decide what sort of discussion shall be punished, and what left free.

"The question is,* whether *indecent* discussion should be prohibited? To answer this question, we must, of course, inquire what is meant by indecent.

"In English libel law, where this term holds so distinguished a place, is it not defined?

"English legislators have not hitherto been good at defining; and English lawyers have always vehemently condemned, and grossly abused it. The word 'indecent,' therefore, has always been a term under which it was not difficult, on each occasion, for the judge to include whatever he did not like. 'Decent' and 'what the judge likes,' have been pretty nearly synonymous." And while *indecent* discussion is prohibited by law, they always will be synonymous.

The doctrine which we have now exposed, is merely one of the shifts to which English rulers, from their peculiar situation, have been compelled to have recourse.

In other countries, where the system to be upheld is one of undisguised despotism, the utter incapacity of the people to judge rightly, and the unspeakable wickedness of their presuming to judge at all, on the subject of government, are the avowed doctrines of rulers. The people, it is there contended, have no business to form any opinion on the acts of government. They have nothing to do with their rulers except to obey them. The magistrate, as he ought to have absolute control over the actions of all under his dominion, ought likewise to have power equally unlimited over their opinions. And this doctrine, if it has no other merit, has at least the recommendation of consistency.

The language of English rulers, down to the Revolution in 1688, was precisely similar. At that period, however, a new government was established; and this government, having come in upon the popular ground of resistance to kings, could not avoid admitting, that the people ought to be permitted to judge both of rulers and of institutions; since to deny this, would have been to give up the principle upon which its own dominion was founded. At the same time, having the same interests as any other government, it was desirous of suppressing, as far as possible, all censure upon its proceedings. Accordingly, the course which, since that time, it has pursued, has been one of perpetual compromise. It has admitted, in the fullest and most unequivocal terms, that discussion on all subjects of government and legislation ought to be free. It has even maintained, that the privilege of canvassing the acts of their government, is the

* Article "Liberty of the Press," as before referred to.

birthright of Englishmen: that we owe to it all that we hold dear: that, without it, there can be no security for good government. At the same time, in the teeth of these large professions, it has maintained, that censure of established governments ought not to be permitted; and it has assumed to itself, in practice, the privilege of visiting such censure, as often as it has thought fit, with some of the severest penalties of the law.

In this see-saw, English rulers have been followed by English lawyers. We shall select our first instances from Mr. Holt's celebrated treatise on the Law of Libel: a work which, having been declared by the late lord Ellenborough from the bench to contain an accurate expression of his own sentiments, and being now generally received among lawyers as one of their standard works, may be considered unexceptionable authority, both for the law itself, and for the sentiments of rulers upon it. Observe what he says of the unspeakable importance of free discussion:—

'Our constitution, in fact, as it at present exists, in a church reformed from the errors of superstition, and in a system of liberty equally remote from feudal anarchy, and monarchical despotism, is almost entirely, under Providence, the fruit of a free press. It was this which awakened the minds of men from that apathy in which ignorance of their rights, and of the duties of their rulers, left them. It was by these means that moral and religious knowledge, the foundations of all liberty, was refracted, multiplied, and circulated; and instead of existing in masses, and in the single points of schools and universities, was rendered the common atmosphere in which we all live and breathe. It was from the press that originated, what is, in fact, the main distinction of the ancient and modern world, public opinion. A single question will be sufficient to put the importance of this subject in the strongest point of view. In the present state of knowledge and manners, is it possible that a Nero or Tiberius would be suffered to live or reign'—.1st ed. pp. 39, 40.

Judging from this passage, who would not conceive it to be the doctrine of English lawyers, that mankind are indebted for all that is of greatest value, to censure of existing institutions: such censure as tends to produce the most radical changes, both in church and state, and even the dethronement and destruction of a bad sovereign?

Now mark the language of the same writer, only a few pages afterwards.

'In *every society*, therefore, 'the liberty of the press may justly be restricted within those limits which are necessary to maintain the establishment, and are necessary to maintain its exercise.'—p. 45.

"Every society" admits of no exception. It includes the worst governed, as well as the best. According to Mr. Holt,

therefore, in this passage, all governments, no matter how bad, should be maintained. They are establishments, and that alone is a sufficient recommendation. It is to a free press, indeed, that we owe "a church reformed from the errors of superstition, and a system of liberty equally remote from feudal anarchy and monarchical despotism;" but as these were obtained by overthrowing a former system, and as "the limits necessary to maintain the establishment" are by no means to be passed, the writings which led to the Revolution ought to have been suppressed, and that great event, with all its glorious consequences, ought never to have been suffered to take place.

The difference, therefore, between the doctrine of rulers in England, and that of rulers elsewhere, exists only in name; and is not indicative of any difference in their real sentiments, but only in their power of giving expression to them without danger.

If there be any truth in the great principles of human nature, or any validity in the reasoning, upon which the British constitution is founded, there is no ruler who would not, if he could, suppress all censure of himself, of his measures, or of any of the arrangements which contribute to his authority. The British constitution supposes, that rulers always wish to abuse their power, and, of course, wish to remove every check which has a tendency to prevent them from abusing their power. But the great check to abuses of all sorts, is a free press. It is of the utmost importance, therefore, to observe, that all rulers have the strongest possible interest in destroying the freedom of the press: that they are under an absolute necessity of hating it; and that although they may not, at any one moment, have a fixed and regular plan for effecting its destruction, they are obstinately averse to any, even the most trifling, extension of it; and are eager to seize every opportunity for restraining it within the narrowest practicable limits.

The necessity for veiling this disposition by the tricks of language, has taught our rulers to devise a number of artful phrases, by the help of which they contrive, in the same breath, to give and take away the right of free discussion, and which, as often as they have occasion for the punishment of an obnoxious writer, serve them to beg the question in favour of their object. A trick of this kind, which has done them much good service, is the well-known profession, that they are friends to the *liberty* of the press, but enemies to its *licentiousness*.

Let us examine what this means. The liberty of the press, we are told, is good; that is, as we suppose, discussion, if not in all cases, at any rate in some cases, ought to be free. But

the licentiousness of the press, it seems, is an evil; which we must presume to mean, that there are certain other cases in which discussion ought not to be free: but what cases? Of this we are not informed; for the word licentiousness, far from marking the distinction, is merely a vague epithet of blame. Their meaning, therefore, must be, that they are to judge what is the liberty of the press, and what is licentiousness. But this is to have the whole power of choosing opinions for the people. Allow them to decide what is, or is not licentiousness, and every thing will be licentiousness which implies censure of themselves, which involves any doctrine hostile to the indefinite increase and perpetual duration of their power. With them, indeed, to use the language of Mr. Mence, "the liberty of the press is a liberty of flattering, fawning, trifling, prosing, but not of writing freely, or fairly, or usefully, or in a way to engage attention, or have a chance of exciting interest, upon men or manners, or upon political, or legal, or religious, or moral subjects."—i. 206.

It now remains to exhibit the actual state of the law of this country, with respect to the liberty of the press.

It is proper here to take notice of a very elaborate attempt made by Mr. Mence, to prove that the law really is not so unfavourable to free discussion as is commonly supposed.

The whole of the law by which the offence of libel is created, exists only in the state of common or unwritten law, of precedent, or custom. But this circumstance is so far from being peculiar to libel, that more than one half of the law of England exists in no other shape.

Mr. Mence alleges, and endeavours to prove—perhaps (for we shall not enter into so unimportant an inquiry) he has succeeded in proving, that the precedents on which the law of libel is founded, are not older than the star-chamber (printing itself, indeed, was not older); and from this he infers, that they are not, to use a legal phrase, *good law;* that there is, therefore, no law of libel, and that the punishments which have been inflicted upon alleged libellers are illegal. Mr. Mence, however, is not the interpreter of the law. It belongs to the judges, and to them alone, to say what is, and what is not law. It is true, that the instances of omission are far more numerous than the instances of execution, and in the eye of reason, are equally entitled to be considered as precedents. It is true, that the judge hears a case, or refuses to hear it, as he pleases, and, therefore, makes the law, *toties quoties,* under the guise of declaring it. Nothing, indeed, can be more shocking, more grossly inconsistent with all ideas of good law, or good judicature, than this;

but it is an evil inseparable from a system of common law, and if the law of libel be not, technically speaking, good law, we can scarcely be said to have any law at all, since even statutes are for the most part built upon the common law, and taking the offence for granted, confine themselves to regulating the punishment.

It is of little importance in itself, what the law is, if the practice be bad: but it is of the greatest importance that the public should not be made to believe that the law, if it were executed, would afford a security, when in reality it would afford no security at all; and it is because Mr. Mence has taken, as we conceive, so erroneous a view of this question, that we think it necessary to caution our readers against being misled by an author, from whom, in other respects, they may derive so much information.

Our own view of the state of the law will be collected, partly from Mr. Holt's work, which is a digest of the cases, and which, as we have already observed, carries with it all the weight of lord Ellenborough's authority, partly from the *dicta* of judges themselves.

The object being to ascertain, what meaning the English law attaches to the term libel, it is natural to begin by asking, what definition of libel it affords? To which we answer, none: nothing which deserves the name of a definition ever having been adduced.

Mr. Holt says, "A libel is a malicious defamation, expressed either in printing or writing, or by signs, pictures, &c., tending either to blacken the memory of one who is dead, with an intent to provoke the living, or the reputation of one who is alive, and thereby exposing him to public hatred, contempt and ridicule." —p. 50.

What can be more absurd than to put forth such a definition as this, with great parade too of exactness, and fortified by references to no less than six legal authorities; and in the very next sentence, enumerating the species of libel, to talk of libels against *religion*, against *morality*, against *the constitution*. Mr. Holt's definition, by whomsoever devised, was obviously intended only for private libel; and if applied to any thing else, is unintelligible. It necessarily supposes a person libelled. Religion, morality, &c. are not persons, either dead or alive, but abstract terms. Considered only as a definition of private libel, it is abundantly mischievous, since it informs us, that to give publicity to vice, in other words, to take the only effectual security against its overspreading the earth, is, according to English law, a crime. And this doctrine, Mr. Holt, in another place, does not scruple openly to avow.

This is, at any rate, an attempt to define. In most law books, if we look for a definition of libel, we find nothing but a fiction. Libel is punishable, we are there told, because it tends to provoke a breach of the peace. The person libelled, may, out of resentment, commit the crime of assault against his accuser: it is fit, therefore, that the law should extend its protecting shield over the libeller, and save him from the chance of a broken head, by inflicting upon him a year's imprisonment. A tweak by the nose, according to this doctrine, should be more criminal than any libel, for it is certainly far more likely to provoke the species of retaliation alluded to. Miserable as this fiction is, it has served as a foundation to lawyers for building up the excellent law maxim, "the greater the truth, the greater the libel." A bad man, it is alleged, is more easily provoked than a good man! and a true accusation being usually more cutting than a false one, exposes the accuser to a greater hazard of being knocked down!

"One might almost as reasonably contend," says Mr. Mence, "that it ought to be criminal in point of law for any person to carry money about him, lest it should tempt some scoundrel to pick his pocket or knock his brains out. The punishment in such a case, as the law now stands, would fall upon the thief, instead of the tempter. And the peace would be at least as well secured, and the interests of morality much better consulted, in cases of alleged libel, by punishing not the man who exposes vice and holds it up to deserved infamy; but the man whose vicious conduct is exposed, and who to his crimes has added the farther crime of braving the disgrace, and committing violence upon the person who may justly and meritoriously have exposed him."—i. 136.

The reader may be curious to learn for what purpose this ludicrous fiction was invented. The purpose was, to render libel a penal offence, instead of being merely a civil injury. Had it been classed among private offences, under the head of injuries to reputation, it would have been necessary to prove, in the first place, that an injury had really been sustained; and then the damages awarded would not have exceeded a fair compensation for the actual injury which had been proved. To make it a public offence, it was erected into a sort of virtual breach of the peace, which, again, by another equally contemptible fiction, is the king's peace; and thus, a libel against an individual became an offence against the king. Englishmen, who have been accustomed to hear, and to believe, that the law is the perfection of human reason, will be astonished to learn, that there is scarcely one, even of its good principles, which has any thing

better than such fictions as the above for its basis. *In fictione juris semper æquitas,* say the lawyers. It is an assertion which they would not venture to put forth, were not the apathy of the public a sufficient security for its being believed without inquiry. Yet here is, at any rate, one instance, (and every one who has examined the law without a resolution to find every thing as it should be, can supply many more), in which such fictions have been devised for the most mischievous of all purposes.

This technical definition answered to admiration, so long as there were no libels but against individuals, all the rest being heresy or treason; but when times altered, and it was no longer practicable to hang, draw, and quarter men for libel, judges were put to their shifts for a definition which should give them power really unlimited, without the appearance. The late lord Ellenborough, who, from his greater boldness of character, was in the habit of giving utterance to the pernicious doctrine with less of restraint and disguise than is usual, once said from the bench, that a libel was *any thing which hurts the feelings of any body.* This was acknowledging more than was quite safe. It was admitting, that, according to English law, as administered by English judges, it is a crime to impute either error or criminality to public functionaries or to individuals; since to impute even error to any one, if it does not in all cases actually hurt his feelings, has, at least, always a tendency to do so.

The words of an indictment for public libel, which, in the absence of a definition, are, it must be presumed, intended to give some indication of the meaning and import of the charge, are "tending to bring our Lord the King and his administration," or "the constitution and government of these realms," or "the two Houses of Parliament," or "the administration of justice, the trial by jury," &c. "into *great and public hatred and contempt.*"

Lord Ellenborough's *dictum* itself is not better adapted to bear out the judge in the most mischievous exertion of power, than this. It is criminal to bring rulers into "hatred and contempt." But hatred is the legitimate consequence of guilt; contempt the legitimate consequence of folly. To impute either guilt or folly, either intentional or unintentional error, to rulers, is, therefore, by English law, a crime.

The attempts at definition, bad as they are, have only been exceptions: the general rule has been, to maintain, that libel, though it ought to be punished, cannot, and ought not to be defined. The conspiracy, in truth, have a good reason for leaving the offence of libel undefined: for they would not dare to in-

clude in a definition all that the support of the conspiracy requires to be included. They would not dare to assume, by a specific law, all the power which they hope to enjoy by usurpation. Were they to make a definition which included all that they wish to be included, common feeling would be shocked; neither they nor other men would bear to look at it. Nothing, however, can be more gross than the inconsistency into which this necessarily drives them. They insist that libel cannot be defined, yet they say that twelve unlettered men are to judge what is libel and what is not. How can any man know what is included in a general rule, if he knows not what that rule is?

On the subject of libels against the constitution, the following is the language of Mr. Holt:

'If the law protects the subject in his rights, and punishes every invasion of them, much more does it protect that system from which all these rights proceed, and by which alone they can be maintained. The government and constitution being the common inheritance, every attack made upon them, which affects their permanence and security, is in a degree an attack upon every individual in the state, and concerns the rights of all. If it be the highest crime known to our laws, to subvert by force that constitution and polity which the wisdom and valour of our ancestors have erected and confirmed, it is certainly a crime, though of inferior magnitude, yet of great enormity, to endeavour to despoil it of its best support, the veneration, esteem, and affection of the people. It is, therefore, a maxim of the law of England, flowing by natural consequence and easy deduction from the great principle of self-defence, to consider as libels and misdemeanours every species of attack by speaking or writing, the object of which is *wantonly to defame*, or *indecorously to calumniate*, that economy, order, and constitution of things, which make up the general system of the law and government of the country.' —p. 74.

Considering the parade of logic, which characterizes Mr. Holt's book, it is not a little remarkable that, on the most important point of all, he should be detected in using language so utterly destitute of any definite or precise meaning. Such vagueness can have but one object; namely, to hide the absolute power which the words that he uses are intended to confer upon the judge.

In the first place, he is pleased to represent the constitution as a person, and talks of *defaming* the constitution, *calumniating* the constitution, as if an abstract term could be defamed or calumniated. Then it is *wantonly* to defame, and *indecorously* to calumniate. Whether any thing be added to, or taken from the sense by these epithets, we profess ourselves unable to understand.

What is the constitution? merely the aggregate of the secu-

rities for good government, which are provided by the existing law, whatever those securities may be, more or less complete. This must be the meaning of the word, constitution, if it has any: and if by a sort of metaphor we speak of the constitution as being calumniated, we can only mean, that these securities are represented as insufficient for the prevention of mis-government; that the constitution is represented as not attaining its end.

Consider what is implied, when it is said, that the securities for good government which, being taken collectively, we call the constitution, are inadequate to their end. It is implied, that, to a certain extent at least, if not altogether, we are as if we had no constitution; and that rulers have the power to tyrannize over us with impunity. If this be true, it will not be openly asserted that, to make it known would not be highly meritorious. The supposition, therefore, must be, that it is not true. This cannot be proved, without suffering those who deny it to be heard. It is, therefore, taken for granted without proof.

It being, therefore, according to this doctrine, allowable for English rulers to take for granted, without proof, that their own form of government is the best possible, it must be equally allowable for all other rulers to make the same assumption in favour of theirs. It will not, however, be contended, that all forms of government are the best. The doctrine, therefore, of the law of England, as expounded by Mr. Holt, is, that any rulers, in any country, may justly assume that the most detestable of all governments is the best, and upon that assumption may with perfect propriety inflict punishment to any extent upon all who presume to call in question its excellence.

Higher authorities than Mr. Holt have propounded the same doctrine. Lord Camden says [Entick *v.* Carrington, 2 Wils. 275, apud Holt, p. 75.],

"All governments must set their faces against libels, and whenever they come before a court and a jury, they will set their faces against them. And if juries do not prevent them, they may prove fatal to liberty, destroy government, and introduce anarchy; but tyranny is better than anarchy, and the worst government better than none at all."

It is here pretty distinctly intimated, that the worst government is justified in punishing all who hold it up to that detestation which it deserves; and the premises are equally edifying with the conclusion: if a tyrannical government be subverted, it is possible that anarchy may ensue; and anarchy, in the opinion of Lord Camden and of Mr. Holt, is a greater evil than the worst possible government. Adam Smith, indeed,

thought differently; in the opinion of that great philosopher and practical judge of human nature, despotism is "more destructive of leisure and security, than anarchy itself."* His lordship is welcome, however, as far as we are concerned, to whatever advantage he can derive from this assumption. But we submit that, if the worst possible government may be succeeded by anarchy, it may also be succeeded by a good government; and how must his mind be constituted who, if it were necessary, would fear to risk a few years, even of anarchy, for such a possibility!

In this investigation we have purposely avoided making the supposition, that the British constitution really is not the best possible. It is obvious, however, how much, if it be not, the strength of the argument is increased.

If we were as firmly convinced that the British constitution is, as we are convinced that it is not, the best possible government, we should be willing to expose even such a government to a very considerable degree of risk, rather than support it by means, which if they may be used for the preservation of the best government, may be equally used to perpetuate all the atrocities of the worst. But if the constitution be really imperfect —and who shall say that it is otherwise, if gainsayers are not suffered to be heard? then how greatly is the atrocity aggravated! and what are we to think of those who wickedly endeavour to prop up a bad cause, by means which even the best ought to reject with horror!

Mr. Holt seems to have been in some degree aware, that the mischievous purpose of the law would shew itself even through the vague and evasive language in which he has clothed it. After telling us that the judges have the power to punish every thing which they may pronounce intended to "despoil the constitution of its best support, the veneration, esteem, and affection of the people," he has thought it expedient to say something with a view to make it appear that they *have not* this power.

'The constitution of this country, which is nothing but perfect reason, acknowledges in every man a right to set forth a general or individual hardship, and to suggest error, even in the highest branch of the magistracy. The constitution, indeed, is too wise not to acknowledge that the best interest of the state, as of human society at large, is truth. It opens, therefore, a ready ear to honest and useful truth of all kinds; and as it receives this truth from human beings, and therefore can only expect it as mingled up and adulterated with human passions, it will often pardon and overlook a natural warmth, for the sake of the truth

* Essay on the History of Astronomy, p. 27.

which it produces. This is the character of the constitution with respect to public libels in good times. But every right has its limits. The right is given by the constitution, in so far as it is necessary and salutary, for the purposes of reminding kings of their duty, and parliaments of their trusts; the right stops at that point where its exercise would endanger the permanence and due weight of government; that is, where it serves no other purpose than to revive the original anarchy and to spread disaffection and tumult through the state.'—p. 76.

It is not easy to enumerate all the gratuitous assumptions, all the shifts and evasions, which this one passage contains.

In the first place, it is assumed, that to "endanger the permanence of government" (such are the words of Mr. Holt) can have no object but to "revive the original anarchy:" which is precisely the assumption by which all bad rulers, from time immemorial, have begged the question in favour of themselves.

In the next place, we are informed that the right of unfavourable representation is allowed, so far as is necessary to "remind kings of their duty, and parliaments of their trusts;" but not to such a degree as to "spread disaffection through the state." So said the Mogul emperor: his subjects might state their grievances for his information, and if he thought fit, he would redress them; with this reservation, however, that if he should happen to take offence at their representations, he might cut off their heads upon the spot.

But, thirdly, it seems, even this limited right of unfavourable representation is allowed only in good times; the question, what are and are not good times, being of course left to be decided by the government itself. It is not difficult to see what, by such a judge, would be pronounced to be good times. So long as the people were perfectly quiet, and any breath of censure which might be heard boded no danger to profitable abuses, that censure might be tolerated, simply because there would be no motive for its suppression. But as soon as a feeling began to be excited, that there was something wrong, something calling for reformation; as soon as there began to be a chance, that unfavourable representations, if they continued, might at length have the effect of forcing upon rulers some degree of amendment; then would be the time for declaring that the "permanence and due weight of government" were endangered: then would be the time for suspending the habeas corpus act, and extending, like Mr. Pitt, the strong arm of power, to crush every writer who presumed to insinuate, that all was not for the best.

One admission, however (we shall see how far it is sincere), is made in the above passage; that the constitution does permit

censure, if not at all times, and on all subjects, yet at some times, and on some subjects. Now mark the language of Mr. Holt, a few pages afterwards :—

'If' a writer, 'forgetting the wholesome respect which is due to authority and to the maintenance of *every system*, proposes to reform the evils of the state by *lessening the reverence of the laws;* the law, under such circumstances, considers him as abusing to the purposes of anarchy, what it has given him for the purposes of defence.'—p. 103.

It is not to the doctrine, that not only a good system, but every system ought to be maintained, that we would at present direct the attention of our readers. It is to the declaration, that nothing must be done tending to lessen the reverence for the laws: that to whatever degree a law may be bad, its badness shall not be suffered to be exposed, nor any representation to be made which shall convince the people of the necessity for its repeal. What, then, is to be said of the assertions that "the constitution acknowledges the best interest of the state to be truth"; that it "opens a ready ear to honest and useful truth of all kinds?" What, but that they are cant, disgusting from its hypocrisy, as mischievous as false, and put forth solely to deceive the people into a belief that the constitution and the law are much better than they really are?

From libels on the constitution, Mr. Holt passes to libels on the king and his government, and to this subject we shall follow him, promising to the reader, that, after all that we have already said, we shall not detain him long.

From Mr. Holt's general view of the law on this subject, one passage has been already extracted. We now give it entire.

'Every Englishman has a clear right to discuss public affairs freely, inasmuch as, from the renewable nature of the popular part of our constitution, and the privilege of choosing his representatives, he has a particular, as well as a general interest in them. He has a right to point out error and abuse in the conduct of the affairs of state, and freely and temperately to canvass every question connected with the public policy of the country. But, if instead of the sober and honest discussion of a man prudent and attentive to his own interests, his purpose is, to misrepresent, and find a handle for faction; if, instead of the respectful language of complaint and decorous remonstrance, he assumes a tone and a deportment which can belong to no individual in civil society; if, forgetting the wholesome respect which is due to authority, and to the maintenance of every system, he proposes to reform the evils of the state by lessening the reverence of the laws; if he indiscriminately assigns bad motives to imagined errors and abuses; if, in short, he uses the liberty of the press to cloak a malicious intention, to the end of injuring private feeling, and disturbing the peace, economy, and order of the state; the law, under such circumstances, considers him as abusing

to the purposes of anarchy what it has given him for the purposes of defence."— pp. 102, 103.

For the exposure of this doctrine, a few words are sufficient. In the first place, the distinction between the censure which is permitted, and the censure which is prohibited, turns out to be, not any thing in the censure itself, but something in the intention. By what evidence is the intention to be ascertained? By the greater severity of the censure? No: for it surely does not follow, that a man must necessarily intend to misrepresent because he censures severely; unless it is contended that governments can never act in such a manner as to merit severe censure.

To obtain reform, you must point out defects. By pointing out defects, you bring discredit on the government. By pointing out defects and seeking remedies, you shew your malice. Yes; the same sort of malice which a man shews towards himself by going to a physician to know the defects of his constitution, and how to remedy them.

Some parts of Mr. Holt's language, however, seem to insinuate, what he himself in other places denies, that censure may be freely applied, provided it be without assigning bad motives. "The law", says he, "in this respect, follows in the line of our duty. Invective, and the assignment of bad motives, can evidently answer no good purpose. No man assuredly can justify such contumely, even towards a private individual, and society at least should have dignity enough to communicate something of its sacredness to its officers."— p. 103.

What is meant by the dignity of society, and communicating sacredness to its officers, we do not pretend to understand. What Mr. Holt, or the judges, would consider as bad motives, we do not know. Perhaps, by bad motives he means criminality, as distinguished from innocent error; and, in that case, we utterly deny the assertion, that no good purpose is to be answered by exposing it. Is it of no importance that the public should know the character of those in whose hands the disposal of their whole happiness is placed? Apply this doctrine to the crimes of individuals: would Mr. Holt assert that it can answer no good purpose to distinguish between wilful murder and accidental homicide?

This part of the law of libel, as expounded by the judges, and by Mr. Holt, is, like all other parts of it, purposely left in such a state of vagueness, as to place every public writer absolutely at the mercy of the judge.

"Every thing," says Mr. Holt, "is a libel, the purpose of

which is, to misrepresent and find a handle for faction." But what is faction? Every man opposing ministers. What is misrepresentation? Falsehood. Who is to judge what is falsehood? The government: and the government, therefore, is to judge in its own cause; the government is to decide upon the truth or falsehood of a charge of error or crime against itself, and if it pronounces the charge to be false, it is to have the power of inflicting punishment, to any extent, upon the accuser!

It may be thought, perhaps, that Mr. Holt has distorted the law. To prove that he has not, we shall next quote some of the *dicta* of judges; than which nothing can be more explicit, as to the illegality of all censure upon the government.

'Lord Holt. They say that nothing is a libel but what reflects on some particular person. But this is a very strange doctrine, to say that it is not a libel reflecting on the government; endeavouring to possess the people that the government is mal-administered by corrupt persons that are employed in such stations, either in the navy or army. To say that corrupt officers are appointed to administer affairs is certainly a reflection on the government. If men should not be called to account for possessing the people with an ill opinion of the government, no government can subsist.'—Holt's Rep. 424, and State Trials, v. 527, apud Holt, p. 108.

According to this judge, nothing is to be permitted which tends to possess the people with an ill opinion of the government; that all censure has this for its object, it is unnecessary to remark. All censure, therefore, is prohibited.

'Lord Chief Justice Raymond. Even a private man's character is not to be scandalized, either directly or indirectly; because there are remedies appointed by law, in case he has injured any person, without maliciously scandalizing him in his character. And much less is a magistrate, minister of state, or other public person's character to be stained, either directly or indirectly. And the law reckons it a greater offence when the libel is pointed at persons in a public capacity, as it is a reproach to the government to have corrupt magistrates, &c. substituted by his majesty, and tends to sow sedition, and disturb the peace of the kingdom.'—State Trials, vol. ix., apud Holt, p. 111.

From this we learn two things: first, that nothing is permitted to be said which can be construed as either directly or by implication a reproach upon the government. And secondly, that all persons whatever, public or private, are guaranteed by the law against all exposure of any misconduct, however glaring, and however hurtful to the community.

'Sir Philip Yorke, (afterwards Lord Chancellor Hardwicke.) He (the printer) is not to publish any thing reflecting on the character, and reputation, and *administration* of his majesty, or his ministers.'—*Ibid.*

This doctrine, which is honoured with the peculiar approbation of Mr. Holt [p. 111], is in substance the same with that which we last quoted; with this addition, that it contains a prohibition of strictures, even upon particular measures. The "*administration* of his majesty, or his ministers," is not to be reflected upon.

On the trial of Woolston for a deistical work, the Court said, "that the Christian religion is established in this kingdom; and therefore they would not allow any books to be written which should tend to alter that establishment."—Holt, p. 55. Christianity is to be made an instrument of persecution because it is an *establishment;* no books are to be written which tend to alter *establishments.* What sort of a doctrine is this?

'Lord Ellenborough. It is no new doctrine, that if a publication be calculated to alienate the affections of the people, by *bringing the government into disesteem,* whether the expedient be by ridicule or obloquy, the person so conducting himself is exposed to the inflictions of the law. It is a crime, it has ever been considered as a crime, whether wrapt in one form or another.'—Case of the King v. Cobbett, apud Holt, p. 119.

Having commented at so much length upon similar doctrines, we are under no inducement to spend time upon this.

The two trials of Mr. Wooler, in the year 1817, for seditious libels, teem with similar *dicta,* both of the attorney-general who prosecuted, and the judge who presided. We quote a report which was printed *verbatim* from the manuscript of an eminent short-hand writer. On that occasion, the then attorney-general, the present Master of the Rolls, and, if report say true, the future Lord Chancellor, delivered himself in the following terms:—

'To impute to the ministers under any form of government, whether monarchy or any other established form of government, wicked and corrupt motives of a pecuniary nature, or of another and a worse sort, viz. that corruption arising from a desire to destroy the liberties and the constitution of their country, and to take away from the subjects of the state all the happiness intended to be given by the laws and constitution, is, I take leave boldly to state, without hazard of contradiction from any lawyer in the country, a libel against the administration of the government: against the ministers employed in that administration.'—Trials of Mr. Wooler, pp. 5, 6.

It would appear at first sight, to an incautious reader, that the improved spirit of the times had produced some effect, even upon his majesty's attorney-general. The doctrine, that all censure of ministers is a libel, was no longer dared to be openly avowed. What was avowed, however, is, that when ministers

aim at subverting the constitution, at subverting that, which, according to the attorney-general, is our only security against every horror which mankind have, at any period of history, endured from bad rulers; that when ministers aim at taking away this security, and plunging us into these evils, no one shall be allowed to say so. That this is an unfair interpretation we deny. Is it, or is it not, possible, that ministers should wish to be absolute? If it be answered, that such a design is possible, but that in this instance it was unjustly ascribed to them, we answer, that if despotism has been the aim of some ministers, it may be the aim of the present, and we are not to believe that to be impossible which all experience proves to be certain, merely because the attorney-general thinks proper to deny it. This modest claim, however, he did not scruple to prefer.

'They (the ministers) would not make their will the general law, but it is not that they dare not, but, I take leave to state, because they cannot and will not.'—*Trials*, p. 14.

Here we are asked to believe that ministers are not men of ordinary virtue, nor even men of extraordinary virtue, but something infinitely superior to all men who ever did, or can exist. Not so says the law of England. That law always presumes that men act according to their interest. So far is this principle carried, that, if a man has a single shilling to gain by perjury, the law presumes that he will perjure himself for that shilling, and refuses to hear his evidence. And here we are called upon to take it for granted, not only that the strongest conceivable temptations are weaker than the virtue of ministers, but that a man ought to be severely punished for insinuating the contrary. And why? Because such is the *ipse dixit* of his majesty's attorney-general.

The present Chief Justice Abbott, on the same occasion, was pleased to deliver, as has been recently the usual practice, two contrary doctrines; both of which, of course, by his pronouncing them, became equally the law of the land.

'It is open to every subject of the country to discuss the measures of government, provided he do it reasonably, fairly, and impartially; but if, instead of reasoning and discussing upon measures general or particular, a person chooses to issue forth to the world slander and calumny against the government, or against the authors of those measures, he then becomes amenable to the law; if I may so say, where reasoning ends and slander and calumny begins, there is the line by which a judgment is to be formed'—p. 80.

This is one doctrine. Shortly afterwards he, in a passage

too long to quote, propounds, and praises Lord Holt for propounding, the other. This is, that it is libellous in any way to reflect upon, that is, to censure, the government, and to bring into discredit, that is again to censure, the two Houses of Parliament.

We will take the least bad doctrine of the two: that which asserts that reasoning is permitted, but slander and calumny prohibited.

What is the use of reasoning? To draw conclusions, we suppose. All reasoning is, we apprehend, for the sake of the conclusion. Reasoning, it seems, is fit and proper: is it proper to draw conclusions? If they are favourable, yes; if unfavourable, no; because in that case, they are slander and calumny.

We might quote many cases posterior to this, but we shall stop here, partly because we have already exhibited enough, partly because the more recent trials have not been published in an equally authoritative form. It is not because there is nothing to say on the trial of Mr. Harvey for a libel on a living king, or on that of Mr. John Hunt, for a libel on a dead one, that we refrain from particularly alluding to what was said by lawyers and judges on those memorable occasions. It is because it was not in our power to quote any better authority than newspaper reports; and it is not enough for us that our assertions are true; we would have them exempt even from the possibility of suspicion.

We notice the head "Libels against the two Houses of Parliament," only to say that, according to Mr. Holt, the one thing to which all the influence of public opinion over those assemblies is owing, the publication of their proceedings—is illegal.

Under the head, "Libels against Courts of Justice," Mr. Holt says,

> 'It is, undoubtedly, within the natural compass of the liberty of the press, to discuss, in a peaceable and temperate manner, the decisions and judgments of a court of justice; to suggest even error, and, provided it be done in the language, and with the views, of fair criticism, to censure what is apparently wrong, but with this limitation, that no false or dishonest motives be assigned to any party"—p. 144.

"Any public reflection," he continues, "on the ministration of justice, is unquestionably libellous."

Here are two assertions: the one, that the law permits censure; the other that it does not. We shall now see which of them is borne out by the *dicta* of judges. And we shall content ourselves with quoting the first case, related under this branch of his subject, by Mr. Holt himself.

'Justice BULLER. Nothing can be of greater importance to the welfare of the public, than to put a stop to the animadversions and censures which are so frequently made upon courts of justice in this country. They can be of no service, and may be attended with the most mischievous consequences. Cases may happen, in which the judge and jury may be mistaken; when they are, the *law has afforded a remedy*, and the party injured is entitled to pursue every method which the law allows to correct the mistake. But, when a person has recourse either by writing like the present, by publications in print, or by any other means, to calumniate the proceedings of a court of justice, the obvious tendency of it is, to weaken the administration of justice, and, in consequence, to sap the very foundation of the constitution itself.' —*Holt*, p. 145.

The law has afforded a remedy! Yes; the injured party, if he can afford it, may move the very judge by whom he was condemned, for a new trial; and if by miracle he should obtain it, he may go again to be tried before the same, or a brother judge, subject to the same sinister interest, and a jury under the same influence. We may be permitted to doubt, however, whether his chance of obtaining redress in this way be so considerable, as to render all other means superfluous; or whether he would have any chance whatever of obtaining it, if he had not the means of influencing public opinion in his favour.

The doctrine inculcated in the above *dictum*, that it is criminal to censure the proceedings of a court of judicature, and that whoever presumes to do so, is an enemy to the administration of justice, became unhappily, by the artifices of judges and the influence of rulers, deeply rooted in the minds of Englishmen. It was long the prevailing cry, that the administration of justice must be preserved free from suspicion, that no reflections must be permitted on the administration of justice: as if any mischief could be done to good judges, and good judicature, by the exposure of bad; as if it were not the greatest possible injury to a good judge, to render it impossible for the public to distinguish him from a bad one.

So far is the conduct of judges from requiring no *surveillance*, that there is scarcely any set of public functionaries, whose conduct requires it so much. Receiving their appointments from government; having, of necessity, from the course they must have adopted to obtain those appointments, all their leanings on the side of power; having, most of them, sons and nephews at the bar, for whom they are in the habit of looking to advancement and patronage at the hands of government; vested with power, which, if thrown into the scale of government, goes so far to render it despotic, that no sacrifice, on the part of rulers,

can be too great, by which their co-operation can be obtained; it is not easy for any set of persons to be exposed to stronger temptations: and that those temptations have invariably proved too strong for the virtue even of the best judges, we have only to look at the records of libel cases, to be convinced.

'We are perpetually boasting,' says the writer of the pamphlet which stands, together with Mr. Mence's work, at the head of this article, 'We are perpetually boasting of the integrity of the judges. The judges on the bench are always, for the time being, the best of judges, the wisest and most upright of men, men who will neither do nor suffer injustice, men who will drive from their presence all who seek to pervert the law, or who take advantage of its defects to do injury to any one. Woe to him who shall dare to impeach the conduct of a living judge!

'Yet how few are the dead judges whose conduct has not been impeached, and that, too, on good grounds. Were the judges really and truly independent of the executive power, and were the people at liberty, as they ought to be, but as, with the consent of the judges, they never will be, were they at liberty to canvass the conduct of a living judge to the necessary extent, so that no judge could commit acts of folly or of injustice with impunity, very few such acts would be committed. Had this security been taken, and this freedom been enjoyed in time past, the evils which have been accumulating for ages would have had no existence, the law would have been precise, clear, and sufficient, and its administration very different indeed from that which we are compelled to witness'—pp. 5, 6.

We regard it, then, as one of the most favourable signs of the times, that this indiscriminating reverence for all the instruments of judicature is giving way; that the proceedings of judges begin to obtain their due share of examination, and their misconduct of reprobation. And we take this opportunity of declaring our conviction, that this great and salutary change has been in a great degree owing to the indefatigable exertions of the Morning Chronicle; a journal, in which we have now been long accustomed to look for excellence of all sorts, but which has displayed, more particularly, in its strictures on the language and conduct of judicial functionaries, a degree of true courage, of ability, and of morality in its highest and least common shape, which it has been but too rarely our lot to witness in the periodical press of this country.

The two following conclusions may now, we think, be regarded as fully established:

That the law of England, as delivered by its authorized interpreters, the judges, however earnestly the same judges may occasionally disavow this doctrine, prohibits all unfa-

vourable representation with respect to institutions, and with respect to the government and its acts:

And, consequently, that if any freedom of discussion is permitted to exist, it is only because it cannot be repressed; the reason why it cannot be repressed, being, the dread of public opinion.

And now, having established these two propositions, we have only further to recommend them to the most serious consideration of our readers.

The importance of free discussion, though frequently dwelt upon by public writers, is seldom fully appreciated by those who, not being themselves exposed to the danger of becoming its martyrs, erroneously consider themselves little affected by its violations. It concerns in fact equally every member of the community. It is equal in value to good government, because without it good government cannot exist. Once remove it, and not only are all existing abuses perpetuated, but all which, in the course of successive ages, it has overthrown, revive in a moment, along with that ignorance and imbecility, against which it is the only safeguard. Conceive the horrors of an oriental despotism — from this and worse we are protected only by the press. Carry next the imagination, not to any living example of prosperity and good government, but to the furthest limit of happiness which is compatible with human nature; and behold that which may in time be attained, if the restrictions under which the press still groans, merely for the security of the holders of mischievous power, be removed. Such are the blessings of a free press: and again and again be it repeated, there cannot be a free press without freedom of censure.

ART. II. *Friederich von Schlegel, Sämmtliche Schriften, etc. The Works of Frederick Schlegel,* in 10 Volumes. Vienna. 1823-24. Volumes 1st and 2nd.

FREDERICK Schlegel is the brother of Augustus William Schlegel, well known in England as the translator of Shakspeare, as the friend of Madame de Staël, and as one of the greatest linguists and philologists of the day. Frederick was born at Hanover, in the year 1772, and, although intended for a merchant, received an excellent education. On being sent, in his sixteenth year, into a counting-house at Leipsic, the contrast between his previous pursuits and the monotony of his new life, made the former doubly precious to him, and he felt that powerful disinclination to trade which has been experienced by so many young men who have aspired to fame, and which is so well de-

scribed by Goethe in his Wilhelm Meister. He almost immediately gave up business in disgust, and returned to study. Just then literature and science were, in Germany, at full flood. Wieland and Herder were not long past the meridian of their splendor, and Goethe and Schiller were contending, like brothers more than rivals, for the palm of glory. Wolf had reduced philology to a science; and Schelling and Fichte had risen, from the instructions of Kant, equal to their master. All these great men had a commanding influence over the youth of that period, and among them Novalis Tieck and the Schlegels were particularly distinguished. Frederick Schlegel, at first, devoted himself more particularly to the study of every thing connected with ancient Greece; afterwards he was deeply interested by the writings of Goethe and Fichte. In some of the sentiments he then entertained, we find more evidence of enthusiasm than of good sense.

It was not long before he tried his powers as an author. He published, in 1797, the first part of a very remarkable work, though it has never been completed, under the title of "*Griechen and Roemer;*" and in 1798 he published "*Die Poesie der Griechen and Roemer.*" In 1797 his brother Augustus William, himself, and Tieck originated a periodical work called the "*Athenæum;*" his articles in it were distinguished by bold and original paradoxes. It was very soon evident, that he loved notoriety more than truth, and cared little about the correctness of a thought, if it were only striking. At this period, too, he wrote "*Lucinde,*" a romance, which was, in form and spirit, a copy of the "*Fiametta*" of Boccacio. The author seems to have thought the world might be amused by a history of his amours, and by exaggerated pictures of sensual enjoyment ending in madness. In this he was mistaken; his book was more decried and condemned then read, and the second part has never been published.

Schlegel, like many others, prepared the way, by sensuality, for disgust and bigotry. An ill-regulated imagination, a passion for distinction, and a sort of wild enthusiasm for the age of chivalry, had at that period led many able men from the paths of simplicity and truth. Winkelman forsook Protestantism for Papacy out of mere motives of worldly interest; but, subsequently, several poets, authors, and artists, turned Catholics because the Protestant mode of worship was too formal, and unfavourable to the fine arts and to poetry. Frederick Schlegel was one of these. In 1802, he and his wife both renounced the Protestant heresy, and sought consolation in the bosom of the Catholic church; and from that time to the present he has

been enlisted in the ranks of those who see no salvation for mankind, either here or hereafter, but through the instrumentality of a legitimate monarchy and an infallible hierarchy.

All his writings, since this change, have been dictated by some narrow and unfounded theory. That he has a great command of language cannot be denied; and his translation of the Latin poetry of the middle ages, his "*Lothar*," and his "*Maller*," are quite admirable for their style, but are poor in matter and in thought. In 1808, when he went to Vienna, he appeared to have caught something of the general feelings which then prevailed in Germany, and to entertain a proper sense of the injuries his country suffered by the oppression of Napoleon. In 1809, he accompanied count Stadion to Bavaria, and gave himself the trouble to assume the character of a liberal; but it was evident to those who could appreciate him, that, like all apostates, he hated the religion he had forsaken; and that his only object was, to obtain consideration and preferment by supporting the opinions of the Austrian oligarchy. When the campaign had been decided in favour of Buonaparte, he returned to Vienna, and was more closely united than ever with Gentz, and more patronized by Metternich. Here, being no longer required by his patrons to fan the weak and lambent flame of German patriotism, he resumed his old studies, and wrote lectures on modern history, and those lectures on literature, which are to be more immediately the object of our remarks. His doctrines and opinions were so pleasing to prince Metternich that he sent him to Frankfort as a counsellor of legation. But, by this time, a change of circumstances made this crafty diplomatist sensible that it was time to repress that ardour in favour of freedom which he had endeavoured to rouse when the object was, to overthrow Buonaparte; and Schlegel was recalled to Vienna that he might, by his writings in the Quarterly Review—*(Jahrbücher der Litteratur)*, and John Bull *(Concordia)*, of Vienna, oppose the growing love of the Austrians for freedom and independence. He has ever since continued to labour in this his vocation with a success greatly, we believe, to the satisfaction of his employers, and the regret of all men who have at heart the amelioration of mankind.

We have been induced to give this short sketch of Schlegel's life, that we might enable our readers duly to appreciate some of his writings. His work on ancient and modern literature has been translated into English, and may be expected to have some influence in England. Schlegel, however unsound in his judgment, is unquestionably a man of considerable talent and great acquirements. He is an eloquent writer and an acute reasoner,

and if not a sound is a very ingenious critic; he is well acquainted with the languages, poetry, and philosophy, both of the ancient and modern world; and he has acquired considerable reputation by his writings. But a wish to justify his own apostacy and his present political opinions have given a tendency to his labours, against which it is necessary to warn the reader. His eloquence and his acuteness are both directed to prove, by the circumstances of civil and literary history, that the principle of an absolute monarchy, united with hierarchy, is of divine origin.*

This is just the sort of jesuitical book which appears to convince the understanding while it only strengthens prejudice. That patriotism and a due sense of religion are virtuous emotions few men doubt; and on these, says Schlegel, must every national literature be founded. A perversion of terms, a cunning misapplication of names which stand for some emotions that are dear to the hearts and cherish the best associations of man, is precisely one of the means by which designing men in all ages have triumphed over the plain and unsuspecting understandings of the great mass of mankind. What emotion is supposed to be more sacred than a love of country. It is the love of home, of the endearments of infancy, of our friends and kindred, it is the love of all we have ever learnt to respect or have enjoyed through the brightest days of our existence. Those, however, who wish to obtain or preserve political power, have artfully applied the name of this engrossing and delightful sentiment to a narrow obedience to their political systems, and to a reverence for the institutions by which their power is secured. They conjure up the sentiment by the word, and they seek to invest erroneous and absurd institutions with all the security which can be derived from the strongest and most permanent affections of the heart and mind. No where has this cunning system been, of late, more systematically acted on than in Austria. For a long time the government of that country succeeded in checking the influx of improvement by mere negative measures. The people were surrounded by a wall of moral prohibitions, which the emperor

* In Austria and Prussia an ordinance has been secretly issued to the Rectors of the Universities and heads of schools, in which they are commanded "so to teach history that the scholars, by comparing the present forms of government and modern occurrences with what happened in the time of the Greeks and Romans, and with their forms of government, may see and acknowledge that men are now more humane than before the introduction of Christianity, and that modern systems are better than the unstable unchristian democratic governments of antiquity."

Joseph, the French revolution, and the war for freedom, burst through in several places. It has since been found that the old mounds would be quite insufficient to check the flood of knowledge, and it was resolved so to divert and spread the stream, that it might be completely under the guidance of those whose only object is, to make every thing subservient to their own power. Gentz, a literary man, has the credit of having recommended to prince Metternich an extension of the old system, of perverting what could not be stopped. Werner, Kollin, Adam Müller, Haller, Schlegel, and others, all men of talent, but of weak judgment, who had forsaken the plainness of Protestantism for the gauds of Popery, and unpaid liberalism for the bounties of a court, were severally invited to Vienna, and were ennobled and caressed, that they might employ their ingenuity in turning the desire of knowledge in the people to the account of their rulers. Doubts and inquiries were to be answered with eloquence, but eloquence glozing over fraud; and the strong emotions which circumstances had excited were not to be suppressed, but directed to some vague chimeras beyond the government and the church. Too well have they succeeded, and the glowing spirit of enthusiasm finding no nutritive food, grew sick with disappointment, and has, at length, apparently ended in more servile submission, and in swelling that licentiousness which has so long distinguished the Austrian capital and people.

It is in this point of view that Schlegel's literary history calls for our notice. It is a fair specimen of the mode employed, under the direction of the governments of Germany, to beguile men into error by pretending to teach them truth, and to amuse them with a vain parade of trifling or useless knowledge. Schlegel has the art of appearing disinterested, and writes without passion, though he never loses sight of the main object of his labours. He pretends to take a calm view of his whole subject; his apparent impartiality acquires the confidence of his reader, which he abuses by omitting to notice those authors whose writings make against his theory, whatever it happens to be, or by only noticing the errors which they, in common with other men, may have committed. Authors, whose writings are favourable to his views, are, on the other hand, praised beyond measure, and their errors justified or defended. All his observations, however general they may appear, are made to bear on present times and circumstances, and expressly intended to impose on the minds of his readers those opinions which the Austrian government is peculiarly desirous of circulating.

We agree with him, for example, that philosophy must be one

of the subjects treated of in literary history, of which, as it relates to the mind, it is the most important part. We fully agree with him, too, that literature would lose very much, if those who are favoured by fortune and called by birth to the highest offices of the state, were to neglect the improvement of the mind, and only devote themselves to their public duties; leaving the cultivation of the arts and sciences wholly to those who are excluded by circumstances from the high offices of the state, and the actual business of the nation. But we do not agree in the conclusion which he draws from this circumstance, namely, that a class of nobles are the natural instructors of mankind, and that other men are destined to receive the impress of their character, and the form of their civilization, from them. It is, we believe, quite necessary, wherever a nobility is in the exclusive possession of the government and the higher officers of state, that such a doctrine should be taught; for knowledge and civilization, which do not flow from them, will unquestionably soon destroy their privileged existence. They who will have or keep power must have superior knowledge; and any *class* of men can only have this by excluding others from the acquisition. Certainly a society takes the most effectual means of limiting its own power, when it will suffer only one small portion of its members to seek knowledge, and when they and all the rest are limited in their inquiries by a necessity of avoiding every thing which might, by a remote possibility, lead to the diminution of certain pre-established privileges. If Mr. Schlegel's deduction were correct, Hungary or Poland should have outstripped Holland and England; Turkey should have been the furthest advanced, and the United States of North America the most backward, in knowledge, power, and improvement.

Having thus pointed out the general principle which has guided the pen of the author, we shall be brief in our notice of some individual lectures. In the first he describes the poetry of the Greeks up to the time of Socrates, and in the second, their literature and philosophy during the latter part of their career, including the Alexandrian school. Here he remarks very appropriately, "our present modes of thought, and our knowledge, are so closely derived from the ancients, that it is difficult to treat of literature without beginning with them. It is also preferable to begin with the Greeks, because their mental culture seems to have sprung and grown up entirely among themselves, and to be almost independent of the civilization of other nations." Poor Homer must be made to advocate modern priestcraft. According to our author he had some

presentiment of a higher, if not of a revealed religion, while Hesiod is described as supporting in opposition to Homer a sort of materialism. Hesiod, therefore, the less national, the less successful poet, was the type of the French philosophers, and Homer, who will be eternally read and admired, owed much of his success to his writings being in accord with the national feelings, and from foreseeing, as it were, the religious principles which were afterwards to guide the world.

If Mr. Schlegel fails in making Homer a very useful auxiliary in the cause of the hierarchy, he does him ample justice as a poet. But the writings of Homer have, in this respect, been so long duly appreciated, that it seems hardly necessary to repeat Mr. Schlegel's remarks, particularly as we see in them nothing very new or very profound.

Pindar was accused by the ancients of being too much attached to the Persians. The manner in which he is defended by Schlegel shows that this critic thinks even a want of patriotism is a virtue, if it is lost in admiration of a foreign monarch and of a civilizing nobility. "The reproach made to Pindar," he says, "may be easily explained. It is evident, from his poems, that he disliked the dominion of the people, which even at that time had occasioned several contentions in Greece, and seemed likely to lead to still greater confusion. Among the Doric tribes, also, the power of the nobility was great, and there was a strong attachment to the monarchical form of government. In the ancient world this and the dominion of a higher order of nobility, never appeared in a more splendid and favourable point of view than in the Persian empire; which, however individual monarchs might have abused their power, was founded on high-minded thoughts and pure and noble manners." Pindar, therefore, had the great merit, in the eyes of Mr. Schlegel, of hating democracy and loving kingly power. Any man may have the same partialities, but, in general, we look for them only among those who have been *born* the subjects of a monarch, who are paid like Mr. Schlegel for entertaining them, or who being ambitious and wanting abilities to attain honourable distinction where competition is entirely free, are ready to barter mind and heart, and sacrifice thought and sentiment, for the poor nicknames and collars with which a Tzar or a Kaiser designates, as a huntsman does his dogs, the miserable slaves who yelp down the imperial prey.

We pass over all Schlegel's remarks on the other Greek poets, historians, and philosophers, which are both correct and well-expressed, regretting merely that a man who has displayed such powers should have perverted them to so mis-

chievous a purpose. Of Demosthenes, Schlegel says not a word; and why? because his powerful eloquence was directed against a monarch. If this sort of emasculation of mind goes on for a few years in Austria, we shall expect to find the history of Germany re-written, and the rude members of the House of Hapsburg all transformed into Bayards or Grandisons. In the same spirit Schlegel, when treating of the literature of Rome, has omitted to mention Catullus, who was guilty of failing in respect for the emperor; and has endeavoured to gain for Virgil the reputation of a national poet, because he reverenced his sovereign as a God—*et erit mihi semper deus.* We were somewhat surprised that the author should do justice to Tacitus, but of him he says—" Of the Latin authors there is only one more whom it is necessary to mention, Tacitus. The profound sense of this author, who is full of thought, and the brevity and strength of his style which is admirably adapted to his matter, appears the more inimitable, as various authors have attempted in vain to imitate him. In these three authors the Latin language is found in its greatest purity and perfection: in Cæsar, with unadorned simplicity and grandeur; in Livy, with all the pomp and ornament of oratorical perfection, but, without exaggeration, and beautifully and nobly formed; in Tacitus, with depth, strength, and art, full of the ancient dignity of old Rome."

In writing the history of the literature of the Romans, we expected that the author would have described the progress of their jurisprudence; particularly as he subsequently takes occasion to refer much of what is good in modern civilization to the influence of the Roman laws. Up to the time of the Twelve Tables, or rather to the time of the law named after Publius, the Romans had no written laws, and were governed by a code which was known only to the priests. In the second period of the Roman history, or under the aristocracy, the form of proceeding was still regulated by this common law; but the laws themselves were written and acted on to the very letter. Under the emperors both law and justice became more scientific, or rather theoretical, and allowed the utmost latitude to arbitrary decisions; they were, in fact, mere names or algebraical signs, which were explained according to the fancy of the judge. That this system could have contributed to the progress of European civilization, as contended for by Mr. Schlegel, is impossible. We should rather say that the Roman and Ecclesiastical laws had impeded and perverted the developement of the national institutions, at least of Germany, and checked its freedom by introducing learned subtleties and artificial distinctions. These two branches of law have, we honestly believe, done more injury

to the progress of mankind, than the eruptions and devastations of the Huns and the Goths.

We shall devote a few words to some parts of the sixth, seventh, and eighth lectures, in which Mr. Schlegel discusses the literature of the middle ages, and particularly of Germany. He mentions Theodorick, Charlemagne, and our own Alfred, as having been the chief promoters of the literature of their respective people. But before their time Ulphilas had translated the Bible from the Greek into Gothic, though his version was prose. The northern languages and literature were earlier cultivated, therefore, than the author supposes; and *Beobulf*, a poem of the third and fourth centuries, in a northern tongue, is a decisive proof of the high antiquity of the literature of the Germans. Mr. Schlegel supposes that the Germans on the borders of the Baltic, derived their Runic characters from the Phœnicians, who came there to trade. According to tradition, however, they were invented by *Teut*, which seems to mean, that the Runic characters were invented by the Teutschen (Germans). Runa signifies, sometimes poetry, sometimes written characters, and sometimes magic. But as religion, magic, and poetry, are among all people originally one and the same, the Runic characters must have been the first religious writing of the Germans, and were probably nearly coeval with their spoken language.

The author assumes, as unquestioned, the genuineness of the ancient Edda; we are disposed, however, to believe, that a considerable part of it was written at later periods. The travels of Thor are undoubtedly an invention of after-times. That the Edda, however, in its original form, existed before the poems of Ossian, or earlier than ninth century is quite certain, from the poem of Beobulf, and from other Anglo-Saxon poems of the seventh century, in which Christian heroes frequently receive the name of Baldus.

We quite agree with Schlegel in his estimate of the NIBELUNGENLIED, who assigns it one of the first places among the epic poems of modern Europe. We are indebted, unquestionably, to the Goths for the original poem, as well as for the heroic poems relating to the same period which Charlemagne caused to be collected. We regret, therefore, with our author, that the Gothic tongue is now entirely lost. As far as we can judge from Ulphilas's Bible, it was rich, clear, varied, flexible, and harmonious. The author of the Nibelungen will remain, like the author of the Iliad, for ever unknown. It is, in fact, a poem of the people, in which the traditions of their heroes were handed down from father to son; it was altered in its language as the language of the people changed, and occa-

sionally new matter was added to it; though the marrow and pith remains as it was anciently dictated by the manners of the people, and has never undergone the pruning of a court or a critic-trained poet. The assertion of our author that Heinrick von Offerdingen was the latest person who had re-written the Nibelungen, is one of those numerous assertions which, without any foundation, are made for the sole purpose of conferring honour on Austria. If we were to hazard a conjecture on this point, we should say the latest version of the Nibelungen was made by some poet who dwelt in Switzerland. At least, the best manuscripts have been found there, and there was preserved longest, and even up to our own times in Haslithal and in Avers, the dialect in which this version is written.

According to Schlegel it was under Frederick 1st in the twelfth century, that the German muse first tuned her lyre to any fine harmony, and she sank again into slumber or inactivity at the beginning of the fourteenth century. He designates the reigns of the Saxon line of emperors, as the period when the civilization of the old Germans was highest.

The ninth lecture is on Italian literature; and, as might be expected from the different views of the poets, and the different subjects which they treat, he places Tasso above Dante. We can pardon Schlegel, though we think it an error, for preferring the Gierusalemma Liberata of Tasso to the Orlando of Ariosto; but we can only attribute to a gross prejudice his opinion, that the latter scarcely deserves the name of a poet. There can be no apology, no excuse for a man of any depth of mind placing the Gierusalemma above the Inferno. The great merit of Tasso consists in his very polished language, which is, perhaps, however, almost too refined, and in particular episodes and passages in which he seems to have embodied the warm feelings of his own tender and impassioned heart. Clorinda's death and his description of the charms of Armida, may be mentioned as examples of what we mean; and their effect is powerful, but the whole poem wants force and even skill, in handling the subject, which is perplexed, and its unity destroyed, by his introduction of mythological Christian-heathens. The story is on the whole inartificially constructed, and its parts are united in a very cumbrous and slovenly manner. Dante was the first, when his native language was yet unformed and unpolished, to recognise the treasures of antiquity, and to bring them again into common circulation. He was the first to polish the poetical language of the Italians, and perhaps the only poet who, in the same degree, has united the beauties of classical literature with the romantic spirit of the northern nations. He not only polished

the language of his country, but he adopted an admirable subject, and invented a form in which to treat it beautifully adapted to its nature. With Schlegel's admiration of Shakspeare, we should be quite at a loss to account for the preference he gives to Tasso above Dante, could it not be explained by his aversion to the political and religious opinions of this great man. Schlegel is, by office, an admirer of the papal power, and Dante did what he could to diminish it. For a similar reason he censures Machiavelli, though he acknowledges his excellence as an historian. Machiavelli's works on Livy, and his not dying in the orthodox catholic faith, were quite sufficient to influence Mr. Schlegel's opinion.

The manner in which this apostate German speaks, in his fifteenth lecture, of his great countryman, Luther, is a good specimen of the whole work. We scarcely know which most to admire in it; the nonsense of the first part, or the cunning, with which, at the conclusion, Luther is made out to be a very wicked, but a very great man. The whole passage is admirably adapted to a lecture-room in the Austrian capital; but Mr. Schlegel intended his work should be read in all ages and countries. "There were, so to speak," he says, "in the mighty soul of this man, so richly endowed by God and nature, two opposing principles, contending for the mastery over him. In all his writings, there is a contest betwixt light and darkness, betwixt an immovably firm faith, and his own untamed passions, betwixt God and himself. The judgment of men, both then and now, could not be other than different, and even opposite, as to the side which he chose, and the use which he made of his extraordinary powers. As far as I am concerned, I must say, both of his writings and his life, that they make no other impression on me than that of pity, which we always feel, when we see how a great and sublime spirit is ruined and destroyed by its own guilt." That Schlegel, and all the tribe of mystics and enthusiasts, to which he belongs, should hate Luther, is not at all surprising. They might have forgiven his exposure of the errors of papacy, but they can never pardon his thorough contempt and hatred for all sorts of cant. He was the representative of a class of men, who, in all their feelings and thoughts, are the very antipodes of the mystics. Though powerful, his understanding was plain; theirs is weak and confused; they encourage melancholy and build their power and their influence entirely on some shadowy fears; he loved God in loving the world; his mind was full of ardent hope, and more than any other religious reformer we know, he taught men, both by his example and his precepts, that their own happiness should be their first care. It is for

his plain, honest, and homely way of looking, both at religion, and the affairs of life, that he is hated by the Catholic mystics of Austria. There was a contest in the mind of Luther, but it was between the errors he had been taught, and the truths which nature and reason dictated. No man ever struggled more earnestly and seriously to obtain truth, and if he was not completely successful, it must be attributed to his education and to the age in which he lived, and not to any defect in his powerful and well-organized mind. As an author, and the creator of German prose, the great reformer deserves the respect of all his countrymen. Even at this period, when the language has been so extensively cultivated, we may admire in Luther's German Bible, the spirit of the translator, the strength, dignity, and grace of the language, the flexibility and skill with which he adapts his words to the matter, from the most simple narration to the most sublime prophecy, as well as the harmony of his periods which gratify the ear and assist the memory. Besides doing injustice to Luther, Schlegel has neglected to mention the great opponent of Erasmus, Ulrich Von Hutten. He was certainly one of the most gifted men of that period, and one of the most popular writers, and ought, therefore, to have a conspicuous place in every work in which it is pretended to give a mere outline of German literature. Mr. Schlegel best knows why he was guilty of the omission.

As our chief object in this paper has been, to point out the political bearing of Mr. Schlegel's literary history, we do not think it necessary to follow him in his discussions on the literature of the rest of the world. In treating of English, French, and Spanish authors, his political prejudices have not so much scope. Yet even here we find an unmeasured praise of Spanish and Portuguese literature, dictated by his feelings as a Catholic.

We close our remarks on a book, which, possessing many excellencies, and teaching many truths, aims principally at introducing into the mind, under cover of an artful eloquence, the principles of slavery; and at perpetuating the dominion of bigotry and despotism undisguised and unashamed. Mr. Schlegel stands forward, the unblushing advocate of the debasing principles of the Austrian government; and makes even his literary discussions the means of perverting the minds of the rising generation.

Although such is our honest opinion of Mr. Schlegel's Lectures, they are too valuable in a literary point of view, to be neglected by the reader who can profit by the ingenuity and originality of many of his critical remarks; and who, at the same time, has acuteness enough to detect the error when he

deduces consequences which cannot justly be derived from his premises, or who is vigilant enough to be always on his guard against the effect of insidious propositions, which are likely enough, from their apparent harmlessness, and sometimes from their novelty and ingenuity, to gain admission into the mind of a too easy reader. Our observations may, perhaps, neutralize the latent poison of the work, and render it as innoxious, as it is, in many parts, interesting and valuable.

ART. III.—1. *Essay on Magnetic Attraction.* By P. Barlow, Professor of Mathematics in the Royal Military College, Woolwich. 8vo. Mawman. 1822.

2. *Article* Magnetism *in the Encyclopædia Metropolitana.*

3. *Recherches sur le Magnetisme, par M. Poisson. Annales de Chimie; February,* 1824.

NOT more than twenty years have elapsed since a few isolated facts and theoretic guesses constituted the sum of what we knew on Magnetism. The researches of philosophers during this short interval have been sufficient to dispel the darkness which formerly overspread this subject, to discover the laws which regulate the dependencies of magnetic phenomena, to explain their most remarkable anomalies, and to reduce to system and order the discordant elements which they presented. Since the beautiful experiments and deductions by which Newton "untwisted the shining robe of day," no class of natural appearances has been unfolded and explained with such rapid and singular success. A variety of circumstances have recently combined in concentrating the attention of scientific men throughout Europe on the facts and anomalies exhibited by magnetism, and their investigations have added another domain to Newton's law of Attraction—a law which, in the last analysis of philosophy, will probably be extended to all the wonders of the physical world. Rapid, however, and brilliant as has been the success of their researches, the field of inquiry is far from being exhausted. Many difficulties of a very untractable character are still to be surmounted, and even where our future progress is very distinctly traced, much still remains to be more perfectly developed. So strong, however, at present, is the current of philosophical inquiry in this direction, that every depth is likely to be fathomed; and those which were confessedly among the most dark and perplexed of nature's operations, to be unravelled and explained, with a clearness and simplicity of principle, commensurate with their great importance in the practical arts of life.

During the last century, philosophers and mathematicians were almost entirely occupied in developing the laws of gravity, and in applying them to explain the phenomena of celestial mechanics. All subjects of minor importance, and less imposing pretensions were merged and lost sight of in this grand pursuit. It is only within these few years that their attention has been withdrawn from physical astronomy. The publication of the Mecanique Céleste, embodying and reducing to system the labours of Clairault, D'Alembert, Euler, Lagrange, and Laplace, announced that in this quarter little remained to stimulate the exertions of genius, and to reward its toils. Subsequently to that epoch, mathematicians have resumed the consideration of a variety of inquiries which had been abandoned in their general eagerness to explain the Newtonian astronomy. In Optics, the double refraction and polarization of light which had remained stationary since the time of Huygens—in Mechanics the equilibrium and motion of elastic plates—in Hydrodynamics the theory of waves, of sound, of wind-instruments, and generally of the motion of elastic fluids—the distribution of heat in solid bodies—the mathematical laws of electricity and magnetism, are among the topics which mathematicians have studied with singular zeal and most unexpected success. It is of the researches which have been made on Magnetism that we intend here to speak, and we have selected this subject partly from its practical importance, and partly from the very great obligations which its rapid development owes to one of our own countrymen. The experiments of professor Barlow are a great contribution to practical science; his mathematical investigations are less important, and for these, as far as they have thrown any light on magnetism, we are chiefly indebted to foreigners; among whom, professor Kraft, of St. Petersburgh, and MM. Biot and Poisson, are conspicuously distinguished.

The characteristic properties of the magnet are its attractive and directive powers. The former of these was not unknown to the ancients; the discovery of the latter belongs to that period, pregnant with the most splendid results which genius or accident ever bestowed on man, which forms the connecting link between the darkness of the middle ages, and the light and knowledge of our own times. The Chinese have claimed the honour of the discovery, and refer it to an epoch long before the Christian era. Others have endeavoured to trace up its origin to India, whence it was transferred to, we forget exactly where, in the east of Europe. It has been ascribed to a Neapolitan, John de Gioga, in the thirteenth century. The French have asserted their claim to the discovery, on the au-

thority of an old poem found in a compilation by Fauchet, called, *Recueil de l'Origine de la Langue et Pöesie Française*, in which the mariner's compass is plainly described. Their claim, they tell us, is also confirmed by the universal practice in Europe of ornamenting it by the *fleur-de-lis*. Another argument in favour of the French discovery has been imagined in the name *calamita*, by which the Italians designate the compass, and which they say is derived from an ancient French word *calamite* (a frog), to which the compass was first assimilated when made to float in water. Dr. Wallis has adopted a similar argument, inferring from the denomination of *compass*, or a name similar to it which is used in almost every country in Europe, that the directive power of the needle must have been discovered by an Englishman. It must be admitted, however, that in this matter he has shown more zeal than discretion.

Without pretending to ascertain by whom the directive power of the needle was first discovered, one thing is certain, that in a rude form, at least, the compass was known before the year 1300, as well as some of its more remarkable properties. Its deviation from the north is also very positively, if not very clearly, set forth in a Latin treatise *De Magnete*, of the same date, by Adsiger, discovered by Cavallo among the MSS. of the university of Leyden, and subsequently published by him. From this relic we learn the fallacy of the popular opinion, that the variation was first discovered by Columbus. The statement of his son Ferdinand, therefore, that his father in 1492 discovered the variation of the compass, and that the crew mutinied in consequence, must mean something more than that he then found that the needle does not point exactly to the north; for this fact was known 200 years before. It is probable that the phenomenon here alluded to is not, that the needle does not point exactly to the north, but that the variation is different in different latitudes, a discovery the credit of which may, probably, be due to Columbus.

Besides the directive power of the needle in azimuth, it has also a certain direction of inclination called the *Dip*. This was first found out by Robert Norman, a watchmaker, in or near London, about the year 1576. In his book called the *New Attractive*, Norman says, that "having made many compasses, and always balancing the needle before he touched them with the magnet, he found, continually, that, after he had touched them, the North Pole would incline downward under the horizon, insomuch that the fly (or card) of the compass which was before level, he was still constrained to put some small piece of wire on the end thereof to counterpoise it." Having

made an instrument for the purpose of ascertaining the greatest value of this inclination, he found that it was 71° 50′, or thereabout.

In Norman's book, and in *A Discourse on the Variation of the Compass*, written about the same period by Borough, the friend and patron of Norman, and comptroller of the navy of queen Elizabeth, we find, for the first time, the exact value of the variation. From actual observations made by Borough, at Limehouse, he determined it to be at that time 11° 15′ east. But neither in this, nor a subsequent edition of these works, do we find any mention of the annual change in the variation.

This important discovery is due to Professor Gellibrand, the next English writer on magnetism, who states the variation at London in 1633 at only 4° 5′ east:

Variation charts originated about this period, suggested in the first instance, as it would seem, in a work published in 1599, by Prince Maurice of Nassau, and translated into English by the well-known mathematician Edward Wright.

In consequence of an application to William and Mary, the command of one of the ships of the royal navy was given to Dr. Halley, with orders "to seek by observation the discovery of a rule for the variation of the compass." In two successive voyages he traversed various parts of the Atlantic and Pacific oceans; and, from his observations, published a chart, which is still considered highly valuable as a source of authentic information on the variation of the needle at that period. An account of his voyages appeared in 1701; his researches on the Magnetic Needle are fully detailed in a series of Memoirs, published in the Philosophical Transactions of the time.

Besides the *annual* variation by which the needle appears to be continually carried to the westward, it is also subject to a *diurnal* variation, by virtue of which, it moves during the early part of the day to the westward, and returns during the latter part to the same bearing it had in the morning, remaining stationary, or nearly so, during the night. When this phenomenon first presented itself to Graham, another London watchmaker, he suspected some defect in his needles. To settle this point, he made a series of needles, varying them in their dimensions and weights, and employing in their construction every precaution which his experience and knowledge could suggest. "After many trials, he found that all the needles would not only differ in their deviation on different days, but frequently at different times of the same day. And this difference would sometimes amount to half a degree in the course of a day, and sometimes even after the interval of an

hour." More recent observations have shown, that the deviation is stated too widely by Graham, as it seldom exceeds 15′. Wargentin, the secretary of the Swedish Academy of Sciences; and Canton, the English philosopher, were the next inquirers into this subject. The latter of these eminent experimentalists made 4,000 observations for the purpose of ascertaining the amount of the diurnal variation and its causes. He inferred that its quantity is greater in summer than in winter, and all subsequent observations have concurred in establishing this fact. He found, also, that the diurnal variation commences about seven or eight o'clock in the morning, arrives at its maximum about two hours after noon, and returns again to its former bearing about seven or eight in the evening. Similar observations have been subsequently made by Van Swinden, who found, in addition to these results, that previous to the commencement of the diurnal variation, the needle has a small vibratory motion, being alternately carried to the eastward and westward. A series of observations on the diurnal variation has also been making for many years, by colonel Beaufoy, and is recorded in the *Annals of Philosophy*. Some very curious experiments connected with this subject, have also been recently made by professors Barlow and Christie, and read before the Philosophical Society.

Another curious phenomenon discovered by Wargentin in 1750, is the influence of the Northern Lights on the needle; it being at the time of this meteor in a perpetual state of vibration, and deviating from its natural position as much as 3°, 4°, or 5°.

Such is a general view of the phenomena of the magnet. We shall now sketch out very rapidly the theories which have been attempted for their explanation. Dr. Gilbert, physician in ordinary to queen Elizabeth, seems to have led the way. His treatise, *De Magnete*, contains many curious experiments and ingenious suggestions; but his attempt at a general theory was premature; experiment and observation had not yet done their work. Dr. Halley, with more copious materials and a more vigorous intellect, followed in the same path with no better success. He supposed that the magnetism exhibited by the earth, is caused by "four poles, or points of attraction; two of them near each pole of the equator, and that in those parts of the world which lie nearly adjacent to any one of these magnetic poles, the needle is governed thereby, the nearest pole being always predominant over that most remote. The parts of the earth where these magnetic poles lie, cannot, as yet, be exactly determined for want of sufficient *data;* but as nearly as conjec-

ture can reach, &c. &c." At the time Dr. Halley laid down this hypothesis, he was not aware of the annual change in the variation; and accordingly, the discovery of this fact introduced a considerable modification and an additional degree of complexity into his scheme. It would be a waste of time to explain the cumbrous machinery which he built upon these hypotheses; the whole system was nothing more than a creation of the fancy, a mere tissue of guess-work. It has, nevertheless, not been without its followers. Among others, Hansteen, the celebrated Norwegian philosopher, in a very elaborate work on Magnetism, has defended it with equal zeal and ability. Euler supposed that two poles might be sufficient to explain the phenomena. Other philosophers assumed more, or fewer poles, as their fancies suggested. But no one attempted to submit his hypothesis to calculation and experiment.

In inquiring into the causes of magnetic phenomena, the question would soon arise, How does one particle of a magnet act on another? On this question, as on that of the number and position of the magnetic pole, philosophers were completely at sea. The inverse fifth power of the distance was supposed by one, to express the law of magnetic action. The inverse fourth by another. Newton assumed the inverse cube, and in this opinion, is followed by his commentators, Le Jacquier and Le Sieur, and at a later period by Muschenbroeck. All this, it must however be observed, was mere guessing, unsupported even by the shadow of an argument. Mayer, in an unpublished paper, read before the Society of Gottingen, in 1760, and D'Alembert a few years after, asserted the inverse square of the distance as the true law: that they were right, does not now admit of a question, but whether they be entitled to any other praise than that of having made a luckier guess than their predecessors, may be very reasonably doubted. They appear to have been led to this conclusion by some vague notions of analogy, rather than by any sound and rational argument. D'Alembert seems, however, to have reflected on this subject more profoundly than any of his contemporaries. The great difficulty, he remarks, which presents itself when we wish to ascertain the fundamental laws of magnetic action, laws probably in themselves very simple, consists in so simplifying our experiments, that their results shall be disengaged from all foreign circumstances and complex mechanism, and exhibit to us nothing but the simple effect of the law we wish to discover. But thus to regulate our experiments, implies a knowledge, more or less accurate of the objects of our research. The phenomena of magnetism are singularly complicated; one pole

attracts, while the other repels: what we observe, therefore, is always a combined effect, modified by the opposite actions of these poles. Again, the number of poles may be augmented, but no art has yet succeeded in reducing them to one, which would present the greatest facilities in discovering the law of action from the observed effects. Besides, it is not merely at the pole that the magnet attracts; it attracts more or less at every point of its surface, and with very unequal forces. And hence the mean direction and compound force vary in a very complicated manner. To succeed in finding the elementary laws of magnetic attraction, we should be able to experiment upon an isolated point, but experiment can show us nothing more than the combined result of all the points.

Coulomb was the first who brought experiment to bear upon the question. By means of the balance of torsion, which he constructed after Michel, he was enabled to measure, with great accuracy, the force necessary to make the magnetic bar deviate through any number of degrees from the position assigned it. In the pursuit of this object, he first verified the discovery of D'Alembert, that the effect of the terrestrial magnet is proportional to the sine of the angle which its meridian makes with that of the magnet, and having further ascertained that a magnetized steel wire, 24 inches in length and $1\frac{1}{3}$ line in diameter requires 35° of torsion to force it one degree from the magnetic meridian of the earth, he took another wire of equal dimensions and same degree of magnetism, and placed it vertically in the magnetic meridian (so that its extremities or poles would have intersected the *homologous* poles of the horizontal wire, had no influence existed between them, or their poles not been homologous) at the distance of an inch from the end of each. He observed the force of each necessary to overcome a certain quantity of their mutual repulsion. It was found in the first place that the vertical wire repelled the horizontal one through 24°; that three circles of torsion, or three complete turns of the micrometer, brought the latter within 17° of the former; and lastly, that eight circles brought the wires within 12° of each other. Adding to each of these results the effect of the terrestrial magnetism already calculated at 35° of torsion for each degree of deviation, Coulomb found that to keep the needles within 24° of each other,

$$24^\circ + 24 \times 35^\circ = 864^\circ \text{ of torsion were necessary.}$$

Within 17° of each other,

$$3 \times 360^\circ + 17^\circ + 17 \times 35^\circ = 1692^\circ \text{ were necessary.}$$

And within 12° of each other,

$$8 \times 360 + 12^\circ + 12^\circ \times 35^\circ = 3312 \text{ were necessary.}$$

Since these arcs are small, they may be taken for the distances. At the distances, therefore, of 12°, 17°, 24°, the forces of repulsion are as 3312, 1692, 864. Had they been 3312, 1650, 828, the repulsive forces would have been inversely as the square of the distance. Such errors must obviously arise from the unavoidable inaccuracies in the experiment; for, although the portion of iron submitted to each other's influence be very small, it is not a single point as the calculation demands. Analogous results were deduced for the opposite poles. Other facts were confirmatory of this general law, and it was contradicted by no known principle. Coulomb was therefore warranted in concluding with considerable certainty that the law of magnetic action varies as the inverse square of the distance, thus following the laws of gravity, electricity, and every other known force emanating from a centre. Hansteen has subsequently resumed the same experiment, and the result has been, the strongest confirmation of the accuracy of Coulomb's determination.

The next step in the history of magnetism brings us down to the researches of our own time. Whatever number of magnetic poles each inquirer had hitherto thought necessary, they had all concurred in placing these poles on or very near the surface of the earth. The first result of an elaborate analysis, founded on adequate observations, showed the fallacy of this opinion. After the scientific researches and travels of M. Humboldt on the new continent, and the observations he had made on the dip and variation of the needle in the course of these travels, sufficient *data* appeared to have been collected to determine to what points of the supposed magnetic axis the needle was attracted and repelled; this inquiry was undertaken by M. Biot. Having assumed two poles at an indeterminate distance from the centre of the earth, he deduced a general analytical formula in a function of that distance and given quantities. He then compared his ascertained experimental results with those deduced by his formula, assuming different numbers for his indeterminate distance, and he found that the nearer these poles were taken to the centre of the earth, the nearer was the agreement between his formula and the observations, and that by taking them indefinitely near the centre of the earth, and on opposite sides of it, the agreement was as exact as could be desired. This was a great step towards a theory of magnetism, and it is due entirely to M. Biot.*

* Since writing this paragraph, we have been struck by a statement in M. Biot's Traité de Physique, which had previously escaped our notice, from

He also discovered a very elegant formula expressing the relation between the dip of the needle (Δ) and the magnetic latitude (λ). If a circle be circumscribed about the earth, having the two extremities of the magnetic axis for its poles, and considering the plane of this circle as a magnetic equator; he found that,

$$tan.\,(\Delta + \lambda) = \frac{sin.\,2\,\lambda}{cos.\,2\,\lambda - \frac{1}{3}}$$

Professor Kraft, of St. Petersburgh, undertook, in 1809, the examination of the same experimental results, and arrived at the same conclusions; pursuing a different and independent course of investigation, he showed that "the tangent of the dip is equal to twice the tangent of the magnetic latitude," or, in symbols, that

$$tan.\,\Delta = 2\,tan.\,\lambda.$$

A form to which that of M. Biot is reducible by some simple trigonometric transformations. To confirm the relation here established between the dip and the magnetic latitude was one of the points left for the examination of captains Ross and Parry in the first of the polar expeditions, and it was found to agree exactly with observation.

It has been usual with philosophers to refer the phenomena of electricity to two distinct imponderable fluids, possessing the property of repelling particles of the same nature, and attracting with an equal force particles of an opposite nature. From the analogy between the phenomena of electricity and magnetism, it was natural to attribute the attractions and repulsions of magnetic substances to two imponderable fluids, a *boreal* and an *austral* fluid. We shall not stop here to inquire what may be the meaning of the term *imponderable fluid*—whether it adds any thing to our knowledge or the clearness of our perceptions to refer the phenomena of nature to the action of a substance of which we can form no idea, or whether the mere denomination of this mysterious agent does not furnish the strongest argument against its existence. The theory of Æpinus is well known.

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which it appears that Mayer had, upwards of half a century ago, deduced the same conclusion from the imperfect data of which he was then in possession. After M. Biot had published his researches on this subject, he was requested by the sons of Mayer to examine some of his unpublished papers, from which M. Biot was entirely convinced that that distinguished philosopher had deduced this important proposition in the theory of magnetism. If the results of mathematical investigation could derive any corroboration from authority, this singular concurrence may seem to set in a strong light the truth of the investigations of M. Biot.

According to this philosopher iron and all ferruginous bodies contain in their natural state a quantity of magnetic fluid equally diffused throughout them: and, by the act of being magnetized, these fluids are separated and accumulated in the two extremities, which thus become opposite poles. It is not necessary that we should follow Æpinus through the full development of his theory. Coulomb still retaining the idea of a magnetic fluid, introduced a considerable modification into its *modus operandi.* In the opinion of this illustrious experimenter these fluids are displaced in a very minute degree only, and do not even quit the particles of the body to which they originally belonged, before the body was magnetized. This doctrine, however singular it may at first appear, has nevertheless of late very generally prevailed among philosophers. In support of this conclusion a variety of facts have been adduced; but that which appears to us most satisfactory may be stated thus:—If a bar rendered perfectly magnetic be separated in the middle, each half of the bar will still be a complete magnet. But the faces which, before the separation were in contact, exhibit opposite magnetic powers, and that extremity of the half bar, which before was a north pole, becomes a south pole, and the south pole belonging to the other half becomes a north pole. And these results remain the same, however small be the part detached from the original bar. This fact is quite conclusive against the theory of Æpinus that the magnetic fluids are accumulated in the opposite poles, for we see that the pole which was before north, becomes by simple division of the bar a south pole, and conversely. It seems also to be pretty conclusive as to Coulomb's idea that the magnetic fluid suffers only insensible displacements, since, *however small* a particle we detach from the bar, we find the presence of both the magnetic fluids, and therefore the fluid, which before the magnetization of the needle was equally diffused, could only by that act have suffered an *insensible* displacement. Admitting the existence of a magnetic fluid, the opinion of Coulomb appears then to be supported on irrefragable grounds. Whatever becomes of the magnetic fluid, whether we admit or deny its presence, the conclusion of Coulomb is equally important, as showing that the attractive and repulsive forces are both found in every particle of the magnet. This is the simple physical fact on which all calculation must be founded—the supposition of a magnetic fluid neither accelerates nor retards our inquiries—it becomes simply a harmless fiction, which the philosopher may adopt or reject without impairing the general value of his speculations.

The interposition of fluids to explain the phenomena of nature has ever been a favourite device among philosophers. Many of these have already vanished before the progress of rational inquiry. The vortices and ether of Descartes are now only matter of history, one of those day-dreams of philosophy which every pretender to science now laughs at. Other hypotheses of this description have maintained their ground more tenaciously. Huygen's Undulations of an elastic fluid, to explain the phenomena of vision, is still supported on the continent, and even among some of our own countrymen, against the simpler hypothesis of Newton. Electric and magnetic fluids are at the present day a part of the ordinary creed of philosophers. One cannot but smile at the follies into which great minds have been led in their search after final causes. Anxious to reduce the operations of nature within the comprehension of their own faculties, to follow down the chain of causes to the last link, they have in effect but involved themselves in more profound darkness, and more inexplicable mystery. What are these fluids, whether elastic, electric, or magnetic? these imponderable elements, these mysterious agents, which work through the regions of philosophy, and unfold her mysteries like the genii of romance, traversing some haunted castle, and opening its gates, iron-doors, and secret closets, with a touch of their mystic wand, what are they but mere creatures of the imagination? A spell in the conceit of their inventors and advocates, which enables them to penetrate the remotest nook of nature's laboratory, but in reality a cloak, which hides from their view the extent of their ignorance. When we have succeeded in referring any phenomenon to these impalpable, invisible, imponderable agents, we forthwith imagine that we have explained it, and march off like Quixotte after his redoubtable exploits, laughing in our sleeves at the prostration of our foe, and congratulating ourselves on our imagined potency.

What is it that we in reality gain by interposing these fluids, between the last rational link in the chain of inquiry and our own imperfect faculties? We interpose between our understanding and a phenomenon of which we know something, a link, of the nature of which we know nothing.

When we talk of having explained a physical phenomenon, what is it that we mean? Why, that we have investigated its elements, and shown their agreement with other facts which need no explanation, or which admit of none. Can we reduce any mechanical effect to a case of motion produced by impulse? in the language of philosophy we have explained it. Again, the philosopher will tell you that Newton explained the pheno-

menon of the rainbow. And what does this explanation amount to? Simply this—we know that if a beam of sun-light be refracted through a prism of glass, or other transparent body, it is broken into a series of coloured rays, succeeding each other precisely as in the rain-bow: we can also show that the drops of rain forming the arch in the heavens, present a series of such prisms to the beams of the sun—and then we say we have explained the phenomenon, that is, we have shown its agreement with the simple case of the prism. But then we may ask, in reference to these two phenomena, how is it that *impulse produces motion*, or that the *solar beam is broken into coloured rays by the interposition of the prism!* We know nothing about the matter; it is the *fiat* of the Almighty Architect that effects should follow in this order, and we shall vainly attempt to fathom the mysteries they involve. At points like these, true philosophy will always pause, nor seek by introducing imaginary substances to disguise from itself the darkness which it cannot dispel.

But let us return to our subject. According to what we have seen, two principles have been clearly established by Coulomb. 1st. That every particle of a magnet attracts every other particle of another magnet, or ferruginous body in a law which varies inversely as the square of the distance. 2d. That by the act of magnetization, the magnetic fluid suffers only insensible displacements; in other words, and divested of any reference to a fluid, the attractive and repulsive energies are found in every particle of the body thus magnetized, succeeding each other alternately throughout its entire mass. These are the two principles which define the physical conditions of the problem, and which must form the basis of all direct analytical investigation of the properties of magnetism.

The development of these principles can be effected only by a profound and elaborate analysis. So great, indeed, are the difficulties which it presents, that though it might yield perhaps to the efforts of a Lagrange or a Laplace, no feebler, less vigorous, or less inventive genius would essay its resolution. The former of these great luminaries has already set; the measure of his contributions to science is full; the latter is rapidly approaching that bourne which prescribes the final limit to the speculations of genius, and too busily engaged in giving the last finish to investigations peculiarly his own, to attempt the analysis of a new problem, requiring for its complete discussion the freshness and vigor of the loftiest intellect in all its maturity. Fortunately these master-spirits are not departing without leaving a successor endowed with their

peculiar powers and splendor of genius. The fervour and spirit which directed the researches of Newton and Clairault, of D'Alembert and Lagrange, have descended upon a philosopher and mathematician whose contributions to science already place him among the most gifted individuals who ever explored the operations of nature. To those who are familiar with the scientific researches of the present day, we need not add that we speak of M. Poisson. In a memoir, recently read before the Academy of Sciences, he has resolved this problem of magnetism in all its generality. The memoir itself has not yet arrived in this country, but from an abstract of it published by the author in the *Annales de Chimie,* we can present to our readers the most remarkable results which he has drawn from his analysis.

The first step in the inquiry would obviously be, to reduce to three rectangular co-ordinates the results of all the attractions and repulsions of the magnetic elements of a magnetized body of any imaginable form upon a given point, situated either within or without the body. By adding to these results as belonging to any point within the system, those of the external magnetic forces that act upon the body, we have the whole forces that tend to separate the two fluids which are united at the point in question. And if the matter of the body opposes no resistance to the displacements of the two fluids; or, in other words, if there be no coercive force, it will be necessary, in order that there may be an equilibrium, that all the attractions and repulsions should destroy each other. The sum of the forces, therefore, in the directions of these three co-ordinates are severally made equal to zero. These equations are at first, as might be expected, somewhat complicated; but by means of certain transformations, the triple integrals, in terms of which they are expressed, are reduced to double integrals, and the equations very considerably simplified. From these equations M. Poisson has been able to deduce the following general principles, remarkable for their singular simplicity, novelty, and beauty.

I. That, notwithstanding the boreal and austral fluids are distributed *throughout the mass* of a body magnetized by induction, the attraction and repulsions, which it exercises *externally,* are the same as if it were MERELY COVERED BY A VERY THIN STRATUM FORMED OF THE TWO FLUIDS IN EQUAL QUANTITIES, and *such that their total action upon all the points within them should be equal to nothing.* This theorem extends to all bodies whatever.

II. When the general formulæ of this memoir are applied to a hollow sphere of uniform thickness, the following remarkable

result is obtained:—" A magnetic needle placed within a hollow sphere of soft iron, and so small as not to exert any sensible influence on the sphere, will not be subject to any magnetic action, and will consequently NOT EXHIBIT ANY POLARITY, from the effect of the earth's magnetism, or from that of any other magnet placed without a hollow sphere." We need not stop to point out the striking analogy between this result and the case of a material particle placed within a hollow shell of matter attracting according to the general law of gravitation.

III. If the general formulæ be applied to the particular case of a sphere magnetized by the action of the earth, they admit of being integrated in finite terms, and of being completely resolved. We are, therefore, enabled to determine every thing relative either to the direction of the line of polarity, or the intensity of the magnetism in the solid part of the sphere, or its action on any point without given in position. In this case *although the magnetism is not confined to the exterior surface of the hollow sphere,* and *although its intensity may be determined for any point of the hollow shell, yet the* MAGNITUDE OF THE THREE COMPONENT FORCES PRODUCED BY IT IS WHOLLY INDEPENDENT OF THE THICKNESS OF THE METAL,—*it is determined simply by the radius of the external surface and the co-ordinates of the point on which the forces act.* When the distance of this point from the centre of the sphere is very great compared with the radius, each of the three forces is very nearly proportional to the cube of the radius directly, and the cube of the distance inversely. These forces may be reduced to two, a force to or from the centre of the sphere, and a force in the direction of the dipping needle. The former of these vanishes when the point is situated in the plane passing through the centre of the sphere and perpendicular to the direction of the latter force. Hence, if *a small magnetic needle be placed in this plane, the direction which it would assume by virtue of the action of the earth will not be altered by the attraction of the sphere.* We must not, however, infer that the *attraction vanishes in this plane,* as we shall see presently professor Barlow appears to have done; for the second force does not vanish at the same time as the first: it will be subtracted from the first, and its effect will be to retard more and more the oscillations of the needle, as it is brought nearer the surface of the sphere. At the surface itself, and in any plane intersecting it, this force is equal and contrary to the action of the earth; so that in this situation the small needle will only be urged in the direction of the radius; and, providing it were so small that its action on the sphere would

be inconsiderable, in the plane perpendicular to the dipping needle, and very near the surface of the sphere, the needle would be exempt from all magnetic action, and would have no determinate position.

M. Poisson has announced his intention to investigate in a second memoir the laws which regulate the distribution of magnetism in needles of steel magnetized to saturation, and in needles of iron magnetized by induction by means of the general formulæ which have been demonstrated in the present essay; and from these distributions to deduce the phenomena of their mutual attractions and repulsions.

Of this admirable memoir, we cannot speak in terms of adequate praise. It has thrown a blaze of light on the whole subject. It has far outstripped the very important results which had been deduced by a successful experimenter of our own country; and has, at a single blow, dispelled a cloud of error and obscurity into which his deductions were likely to lead future inquirers. It is one of the most splendid triumphs of abstract science, and demonstrates the vast importance of a powerful analysis in disclosing the laws which regulate the most hidden and complicated operations of nature. With two fundamental principles which define the nature of magnetic action, the mathematician retires into his closet, and there, without any complicated and delicate apparatus, without any tedious tentative methods, he discloses by the simple aid of his calculus the origin and laws of its phenomena. He unfolds not only all the results which experiment could discover, but a variety of others of equal or greater importance, which experiment never could reach. Not only does he develope principles which could never have been opened out to the mere experimenter, but by the rigorous accuracy of his methods discovers errors and fallacies into which the latter would necessarily fall, and from which his experiments could never deliver him. We speak not thus to disparage the labours of the experimental philosopher—for they are essential—they form the basis on which all rational inquiry into the principles of nature must be built; but only to show that in the present state of knowledge they are inadequate without the aid of that powerful analysis which is very little cultivated and very imperfectly understood in this country.

Contemporary with the researches which we have been describing, were the experiments of professor Barlow. While philosophers were pushing on their inquiries into the laws of magnetism, navigators had discovered, "that the compass-needle does not continue to point in the same direction as the ship is warped

round to the different points of the compass." A simple change of position of the ship's head from the north or south to the east or west, producing a change in the variation of the needle of twenty or thirty degrees, and varying in amount with every alteration in the direction of the ship's head, and every change of position from one pole to the other. This effect is obscurely alluded to in Cook's Voyages, where it appears that it was noticed by Mr. Wales, his astronomer. It is also noticed by one or two French navigators, but not a hint is thrown out respecting the cause of this anomaly or its remedy. The cause was distinctly pointed out by Mr. Downie, the master of his majesty's ship Glory:—"I am convinced," said this experienced officer, in his report to the Admiralty, published in Walker's Treatise on Magnetism in 1794, "that the quantity and vicinity of iron in most ships has an effect in attracting the needle; for it is found, by experience, that it will not point in the same direction when placed in different parts of a ship; also it is rarely found that two ships steering the same course by their respective compasses, will go exactly parallel to each other, yet these compasses when compared on board the same ship will agree exactly."

A few years afterwards the influence of the iron in the ship was more minutely examined by captain Flinders, who was the first to trace its connection with the dip, and to show that the effect is different in quality on opposite sides of the magnetic equator, and increases in quantity as the dip in either hemisphere increases. With Capt. Flinders's observations the matter seems again to have fallen into obscurity, till Mr. Bain published his treatise on the *Variations of the Compass*, in which the fatal consequences of this source of error are so forcibly exposed as to have attracted once more the attention of the Admiralty. It fortunately happened that at this period the arctic expeditions were in contemplation. The local attraction of the vessels in these seas was accordingly one of the objects to which the attention of the officers was particularly directed. The results of the experiments made in these instances are detailed by captains Ross and Parry in the accounts of their respective voyages. The amount of the disturbing force was found to be such as to call for the most prompt and efficient remedy, the difference of the bearing of an object having, on one occasion, been found by captain Sabine to be 50°, merely by a change of position of the ship's head from east to west.

It may appear surprising that an error of such amount should have so long escaped the observation of navigators. But the fact is, that, owing to the changes which have taken place in

ship-building, this error was much smaller formerly than it is now. It is only within a few years that pig-iron has been employed for ballast, the weight of which, in some vessels, exceeds *three hundred tons.* An immense surface of iron is also introduced by the admirable invention of iron tanks to supply the place of the old water-casks. Moreover the knees, sleepers, and sometimes even the riders, are now of iron; and some attempt has recently been made to employ gun-carriages of the same material. But of all innovations of this kind, the invention of the patent capstan by captain Phillips, is that which, from its form and situation, has the greatest effect on the compass. So powerful, indeed, is its action, that without the means afforded by professor Barlow's correcting plate, its use would have been prohibited in all vessels of a smaller class than frigates. In the *Griper,* for instance, the local attraction was 14° at east and west, making an extreme difference in the River Thames of 28°, which was reduced to 16° by the removal of the capstan.

This statement shows sufficiently that the errors which have become so large in consequence of the introduction of masses of iron into the structure and equipment of ships might easily escape the attention of navigators at a time when these causes having little existence the errors were comparatively imperceptible.

These were the circumstances under which professor Barlow commenced his inquiries into the laws of magnetism. The amount of our knowledge at the period when these experiments were undertaken may be pretty clearly appreciated from the historical sketch which we have given. A contemporary, in describing them, appears to have laboured under considerable misapprehension. "It should be observed," says the writer* in question, "that, at the time of which we are speaking, little or nothing was known of the mathematical laws of magnetic attraction. It had been ascertained, that while a compass needle was placed near the upper end of a bar of iron, the north end was drawn towards the bar, and that near the bottom the south end was attracted; and it consequently followed, that there must be some intermediate point, in which the effect of both ends was neutralized. It was also known, that a large mass of iron attracted more powerfully than a smaller mass; and that the effect was greater as the distance between the iron and compass was less; and amongst other ratios it had been stated, that the power varied inversely as the cube of the distance; but still no explicit and connected laws had been established." We

* Edinburgh Philosophical Journal, No. 21.

pass over the former part of this paragraph to notice the latter, which displays either the grossest ignorance of the researches of philosophers, or the most wilful spirit of misrepresentation. Do the researches of Coulomb throw no light on the "mathematical laws of magnetic attraction?" What can be the meaning of the paragraph, that "among other ratios the power varied inversely as the cube of the distance; but still no explicit and connected laws had been established?" Had not Coulomb shown by the most irrefragable arguments and the most decisive experiments, that the law of magnetic attraction varied inversely as the square of the distance? Had not Hansteen repeated the same and a variety of new experiments, and arrived at the same conclusion? Moreover these investigations are not confined to unpublished papers read before philosophical societies, nor to be found only by ransacking the transactions of philosophical societies; they are described in an elementary treatise on Physics* with the utmost amplitude of detail and clearness of illustration. And the author so far from supposing that no explicit and connected laws had been established, uniformly assumes this law of the inverse square of the distances as a matter of which there could not be a doubt. Besides, are the researches of MM. Biot and Humboldt nothing? Was it nothing to have shown that the action of the terrestrial magnet may be referred to two poles indefinitely near the centre of the earth? Was the relation which M. Biot established between the dip and magnetic latitude, or the still simpler formula of professor Kraft, nothing? To make such an assertion as that which we here find, manifests surely a strange ignorance of the condition of science, or a wilful desire to depreciate and conceal the discoveries of foreigners. That it should appear, too, in a scientific journal, conducted expressly by men of science and professing to record the progress of science, would appear still more surprising, did we not so often observe the shallowest pretenders associating and mingling with men of the loftiest intellect and the profoundest acquirements.

The object which appears to have suggested and directed the inquiries of professor Barlow was those errors in the needle which we have been describing. To discover a practical remedy for them was the scope of his design. In the pursuit of his object he appears to have been singularly happy, and to have conducted his experiments with great discretion and considerable sagacity. He procured a solid iron ball thirteen inches in diameter, and weighing two hundred and eighteen pounds.

Traité de Physique, par M. Biot.

When tl e compass was above the ball he found, as in the case of the bar, that the north end of the needle was attracted toward it, and that when it was below the ball the south end was attracted toward it, and that in traversing the interval between these two positions, it always passed through a point in which the ball had no effect on the needle. In professor Barlow's apparatus the compass was fixed, and the ball was suspended by a pulley, so adjusted, that the ball moved upwards and downwards at pleasure. This circumstance is not material to our statement, and we merely notice it *en passant* to prevent any misconception. The question would naturally be suggested—are all these points on which the ball exercises no influence on the needle situated in the same plane?—if so, is this plane parallel or inclined to the horizon? A series of experiments directed to this point showed that they were all in the same plane, and that the plane is inclined to the horizon, dipping toward the south and making an angle with the horizon equal to the complement of the dip. When the needle had its *natural dipping position,* this result might have been naturally anticipated, for then the ball would be symmetrically situated in respect to the needle; but that the effect would still be the same when the needle *was horizontal,* was a discovery as new as it was important.

Having traced this circle on the sphere, he assumed the plane of it as an equator, and the direction of the dipping needle as a principal axis. This plane, which professor Barlow calls the *plane of no attraction,* implies a misconception into which he had probably been led by the apparent result of his experiments, and the want of a rigorous and comprehensive analysis to supply the deficiencies of mere observation. It were needless to repeat that the *force of attraction does not vanish in this plane.* This plane will intersect the horizon in an east and west line. Here, then, he had a most obvious and simple method of assigning and fixing the position of the compass relative to the ball, by latitudes and longitudes referred to the plane and one of these east or west points. It was natural to suppose that the formulæ which define the law of deviation would be most simply expressed by latitudes reckoned from this magnetic equator, and longitudes reckoned from one of these points in which the magnetic equator intersected the horizon. Professor Barlow appears to have assumed the zero of longitude in the west point. Now, if the deviation of the compass due to the action of the iron ball be expressible in any formula, this formula can only depend on, or be a function of, the magnitude of the ball, the distance of its centre from the point of the compass, and

the latitude and longitude of the compass. In the first series of experiments the same ball was constantly employed, and it was kept at the same distance from the compass. For these experiments the magnitude and distance of the ball would be constant, and therefore any consideration of them was unnecessary—the deviation could only vary by a change of latitude and longitude. But for the sake of still further simplifying the experiments, it was desirable to consider separately the effects of the latitude and longitude. This was easily done, for by compelling the compass to move over the same meridian, the latitudes would have every change from zero to 90°, both north and south, while the longitude would be constant. Again, by compelling the compass to move over a small circle parallel to the equator, the longitude would have every value from zero to 360°, while the latitude was constant, By pursuing the course suggested by these observations, the effects of the latitude and longitude were separately obtained, unmixed with the effects due to the changes of the other quantities. The result of his experiments may be stated as follows:

I. By moving the compass over the meridian whose longitude was zero, it was found that $\frac{sine\ lat. \times cos.\ lat.}{tang.\ deviation}$ was constant; as far therefore as the deviation (Δ) depended on the latitude (λ),

$$tan.\ \Delta = m.\ sin.\ 2\lambda \quad . \quad . \quad . \quad (1)$$

II. By moving the compass over a small circle parallel to the equator, it was found that $\frac{cos.\ longitude}{tang.\ deviation}$ was constant; as far therefore as the deviation depended on the longitude (l),

$$tan.\ \Delta = n\ cos.\ l \quad . \quad . \quad . \quad (2)$$

This was not precisely the course which professor Barlow followed. For the purpose of computation, it was found to be more convenient to move the compass over a circle in which both latitude and longitude varied, but as the law of the deviation in respect to the latitude was already known, this did not much complicate the inquiry: it was found, of course, that

$$\frac{sin.\ 2\lambda.\ cos.\ l}{tan.\ \Delta} = p\ constant. \quad (3)$$

III. Having ascertained the law of deviation as it depends on the latitude and longitude of the compass, the next point was to determine how, other things remaining constant, the deviation would vary with a change of distance, and it was found, that

$$tan.\ \Delta = \frac{q}{(dist.)^3} \quad . \quad . \quad , \quad (4)$$

In these formulæ, m, n, p, and q, are constant.

IV. The last result might have been almost determined without any experiment; but another discovery awaited this part of the investigation as important as it was unexpected. On repeating the experiments with iron shells, professor Barlow found for balls of the same dimensions the same results, whether they were solid or hollow, provided their thickness exceeded about $\frac{1}{20}$ of an inch. It was shown by experiment that a shell of iron plate of $\frac{1}{30}$ inch in thickness produced about two-thirds of the effect of a solid ball, and in general a series of experiments directed to this point led to the conclusion, that a certain thickness, exceeding $\frac{1}{30}$ of an inch, was necessary to the full development of the magnetic action. This last result was so singular that it could not be expected that philosophers should accept it without rigorous verification. For this purpose captain Kater executed a series of experiments with three cylinders of soft iron, having the same external dimensions; one made of sheet-iron, one of chest plate, and the third being solid; and completely confirmed the previous deductions of professor Barlow.

These formulæ and laws were in the first instance purely empirical. The author, has, however, in the last edition of his Essay on Magnetism, delivered an analysis from which he has drawn the same results. This part of his labours we think of the less value, that it proceeds upon an hypothesis which not only blinks all the difficulties of a rigorous analytical investigation, but is so partial as to leave untouched many of the points most important to be determined. The principles on which he founds his calculations are these:—1. With Coulomb he assumes that the law of attraction varies inversely as the square of the distance.—2. That all the phenomena of terrestrial magnetism and iron magnetized by induction may be referred to two poles indefinitely near each other in their general centre of attraction. This is a step beyond what a complete and rigorous resolution of the problem would permit us to assume. 3. That the magnetic fluid suffers only insensible displacements. This is, as far as we can perceive, a dormant principle in professor Barlow's investigation, although it is the very essence of the physical conditions of the problem.—4. That the action of the magnetic fluid is confined to the surface of the body. This is the objectionable part of his hypothesis—an assumption which reduces the value of his analytical investiga-

tions to zero. He supposes that it may be inferred from his experiment with iron shells; but he is quite mistaken in this matter. The accumulated effect of the action of all the particles of magnetic fluid, may be the same as would be produced by a magnetic fluid diffused over the surface. The attractive and repulsive virtues may so balance each other as to produce this effect; but the analysis which assumes, therefore, that the magnetic fluid is confined to the surface, must needs be very unsatisfactory. For these reasons, while we willingly bestow our meed of approbation for his successful experiments, we must be permitted to think that his analytical calculations are of little value, and quite as much calculated to mislead as to direct the course of our inquiries.

These experiments suggested at once a remedy for the errors due to the local attraction of ships; for the action of any mass of iron may be referred to two points indefinitely near each other in the general centre of attraction of the masses of iron on board. If, therefore, in the line joining this centre and the needle, we place on the opposite side a mass of iron, whose action on the needle shall be just equal to that of the disturbing force of the vessel, these forces being opposite will destroy each other, and leave the needle at liberty to obey the action of the earth's magnetism. Experiment soon showed that a small plate of iron placed within a few inches of the compass was sufficient to produce this effect. This was professor Barlow's first suggestion to the Admiralty.

The first experiments with the correcting plate were made on board his majesty's ship Leven, which sailed under the command of captain Bartholomew, in 1820, to the western coast of Africa, but returned the following year under the command of captain Baldey in consequence of the death of the former officer. A very extensive series of observations led to the most satisfactory results.

It was obvious, indeed, without any such practical determination that this must have been the case; but still from that distrust with which practical men always regard the discoveries of abstract investigation, this remedy could only be classed with the dreams of theorists till confirmed by actual experiment. Two cases of a decided character had occurred very recently, which seemed to furnish an *experimentum crucis,* and on these it was resolved to try the operation of the correcting plate.

Captain Flinders had observed that *with an equal north and south dip, he found an equal quantity of deviation, but in a contrary direction.* To see whether the plate would meet these cir-

cumstances was the point left for the decision of captain Basil Hall, in his voyage in the Conway round Cape Horn to the western coast of America. Observations were accordingly carried on from England below Cape Horn to the latitude of 61° south, and throughout this great arc of terrestrial latitude the results are the most satisfactory that can be desired.

The next point to be settled was this. It had been ascertained by the observations of captains Ross and Parry, that the effect produced by the iron of the ship had increased with immense rapidity in approaching towards the Pole. Would the power of the plate increase with equal rapidity? It seems to us that not a shadow of doubt could have been rationally entertained; but, to make "assurance doubly sure," Lieutenant Foster, who had already received the thanks of the Board of Longitude, for his experiments on this and other scientific subjects in the Conway, was now appointed to the Griper, which was about to leave England for Spitzbergen under the command of captain Clavering. His experiments were the more interesting, that they were made in very high latitudes where hitherto the compass had usually been stowed away as useless, as well as from the circumstance of the ship's local attraction being much greater than usual. By observations made while the vessel was lying at the Nore, the bearing of an object was found to differ 28° with the ship's head at east and west. That is, the local attraction was 14° at each of these points, and proportionally great in all intermediate positions, an amount of deviation truly astonishing, and which captain Clavering ascribed to the influence of the spindle of the patent capstan, a suggestion which was verified by experiment on the return of the vessel as we have already stated. To counteract this strong power it was necessary to bring the iron plate which was 14 inches in diameter, to a distance from the middle of the pedestal of 7¾ inches, and the centre of it 7½ inches below the pivot of the needle, in which situation *abaft the compass*, it balanced the local attraction of the ship and left it free to obey the natural directive power of the earth; this was proved by taking the variations of the compass with and without the plate from England to the North Cape, when the close agreement of the former and the great discrepancy in the latter were so marked, that the vessel was navigated during the remainder of the voyage altogether by the corrected compass.

The Griper was swung at three different ports during the voyage; at Drontheim, Hammerfest, and Spitzbergen, and the local attraction ascertained at every station, first with and then without the plate. With the plate the deviations were reduced

to quantities very little exceeding what might be attributed to errors of observation; without the plate they were found to be at the east and west, or maximum points as follows:—

Nore	14° 00′
Drontheim	21° 23′
Hammerfest	24° 10′
Spitzbergen	34° 42′

The nature however of these irregularities, and the importance of Professor Barlow's plate will be more distinctly seen from the following table of variations with and without the plate, taken during the voyage.

Latitude.	Longitude.	Ship's Head.	Variation without the plate.	Variation with the plate.	Time of Observation.
65° 6′N	6° 54′ E	N	26° 1′W	24° 23′W	May, 18 1823
Ditto.	Ditto.	NE	11 28	25 2	do do
66 57	7 20	N	24 52	25 30	May 20 do
66 15	8 0	E½N	2 14	21 15	do do
66 35	9 12	NE½E	11 58	22 43	May 21 do
67 21	9 4	NE½E	18 4	22 12	May 23 do
Ditto.	Ditto.	W	43 5	20	do do
69 8	14 30	NE	13 35	13 35	May 28 do
Ditto.	Ditto.	W	40 37	14 28	do do

The uniformity of the change in the variation when the correcting plate is employed is obvious at a single glance; whereas the rapid and large irregularities which are shewn when the plate is not used placed in the strongest light its great importance. Thus we see on the 18th May, by simply warping the ship round from N. to N.E.. the variation experiences a change of 13°; on the 20th, by a change from N. to E. ½ N., the variation is reduced from 24° 52′ to 2° 14; and lastly, on the 28th, the change in direction of the ship's head from N.E. to W. produces an increase of nearly 30° in the variation. These are not solitary instances. The log-book presents a continued succession of them. Under such circumstances, it is obvious that the compass becomes a mere piece of useless furniture.

It is not necessary for us to descant on the value of professor Barlow's discovery. Its importance has been settled by observations on a very extensive scale, made under very trying circumstances, and conducted by officers of distinguished scientific acquirements. It is one of the most valuable contributions which science ever made to the practical arts, and possesses a merit which rarely belongs to such contributions. It was not the offspring of some lucky thought or fortuitous accident, but

sprung out of an investigation undertaken expressly for the discovery of the remedy which it furnishes. Neither did it require any elaborate process to modify the researches of science to the practical purpose to which they were applied; the application was at once simple, obvious, and direct: as an experimenter, it places professor Barlow among the most distinguished philosophers of modern times, and will transmit his name to posterity among those who have successfully laboured to enlarge the circle of human knowledge. We shall close our sketch of his labours by a passage which occurs in his Report to the Admiralty, and which addresses itself more particularly to the commercial public.

'Every reader, whether a nautical man or not, must be aware of the great amount of error and fatal consequences which might arise in a few hours to a vessel in the channel, in a dark and blowing night, having for its only guide a compass subject to an error of 14° in opposite directions at east and west, the very courses on which she would be endeavouring to steer; and who can say how many of the mysterious wrecks which have taken place in the channel are to be attributed to this source of error, of which the most recent, that of the Thames, Indiaman, is a serious example. This vessel, besides the usual materials, guns, &c. had a cargo of more than 400 tons of iron and steel; and it may be easily imagined, that such a cargo would produce an effect on the compass at least equal to the Griper and Barracouta; and this alone would be quite sufficient to account for the otherwise unaccountable circumstance, that after having Beachy Head in sight at six o'clock in the evening, the vessel should have been wrecked upon the same spot at one or two in the morning without the least apprehension of being at all near shore.'

Here, for the present, we terminate our *précis* of the history and principles of magnetism. There are other topics to which we should have adverted to have made our sketch complete. We should have entered into detail on the circumstances which distinguish temporary and permanent magnetism; in other words, bodies magnetized by induction, and bodies magnetized to saturation: should have inquired into the laws which govern the distribution of the magnetic fluid in both of these cases, although this is a subject of which, in truth, our information is at present by no means satisfactory. When M. Poisson shall have completed his researches, we may possibly be able to return to it with greater pleasure. To follow the march of philosophy when its theories are founded on clear and indisputable facts, and expanded and developed by the methods of a rigorous calculus, is at all times an instructive task—a task as pleasant as it becomes painful

when we have to pick our way through doubtful hypotheses, obscure conjectures, and crude, tentative, and empirical processes. We ought, perhaps, to have given some account of the electro-magnetic experiments of professor Œrsted; they belong, however, as much to electricity as to magnetism. These experiments are, probably, destined ultimately to form the connecting link between the phenomena of electricity and magnetism—to throw a new light on the mode in which the magnetic and electric fluids act, and to prove or disprove their identity. At present the phenomena which they exhibit are isolated, unconnected, unexplained.

ART. IV. 1. *Rome in the Nineteenth Century.* 3 vols. post, 8vo. Third Edition. Constable and Co. Edinburgh.

2. *Italy and the Italians in the Nineteenth Century.* By A. Viesseux. 2 vols. 12mo. Knight. London.

WHATEVER may be the charm of the ruins of Rome, it certainly does not consist in their beauty or grandeur. In picturesque effect, in venerable majesty, in imposing sublimity, in power over the senses, there is not a mouldering gothic abbey in England that does not far surpass the ruins of Rome. Yet, strange to say, the smallest vestige of its ancient days is ten thousand times more interesting to our hearts than the proudest remains of our own ancestors and our native land; and we gaze on the naked brick walls and humid vaults which constitute the chief ruins of Rome, with feelings which no other objects on earth can excite. To the artist and antiquary, indeed, these remains being fragments of works of the first era of Roman art, are infinitely more valuable than relics of a more virtuous but ruder age. Yet these remains of imperial magnificence are so mutilated, so shattered, and, indeed, so inconsiderable, that to persons of cultivated taste alone their beauty is apparent; and we will venture to say that, with the single exception of the Coliseum, the great mass of our countrymen who traverse Europe to see them, and afterwards fill large books with laudatory accounts of them, would, if they beheld them in any unsuspected place, pass by the time-stained columns of the Forum with as little notice as the bed post-shaped pillars of Regent-street; and look on the Pantheon with the same indifference that they do on St. Martin's in the Fields. Yet the crowds of our countrymen who do flock to Rome, and the curious medley they make there, are truly amusing. All classes, ages,

sexes, and conditions are assembled together; the first of our nobility with the last of our citizens—the most learned members of our universities, with the most dashing loungers of our streets—the prettiest of our belles, and the bluest of our spinsters, are crossing and justling each other in every corner; talking, writing, wondering, displaying, and rhapsodizing:—lion-hunting, husband-hunting, time-killing, money-spending, view-taking, and book-making. Through the whole winter, fresh parties of our bewildered countrymen are to be seen running about in every direction with the Itinerario in their hand, confusion in their head, and an antiquary at their elbow. Erudite young ladies stand elucidating antiquities, shivering artists sit on stones sketching them, perilous architects perched on ladders measuring them, learned collegians poring through spectacles decpyhering them, flirting fair ones in studied attitudes leaning upon them, hopeful exquisites in dashing equipages driving among them—English, in short, of every kind and description—high and low—wise and foolish—rich and poor—black, brown, and fair, haunt every hallowed spot where Tully spoke and Horace sung. Immediately after the peace, so astonishing was the inundation of Britons, like a second irruption of the Goths, poured down upon Italy, that the poor Italians at first were seriously persuaded that the good people of England, in dread of an impending revolution at home, were hurrying away from their own country as fast as they could drive. Well, indeed, might a stranger marvel what business all these multifarious classes of persons could have in the same place. The spell which draws them here may be in one word explained. It is the *fashion* to go to Rome.

Amidst this motley assemblage, however, the frivolous, unfortunately, greatly out-number the studious. Rome is, indeed, at present no better than an English watering-place, and it is actually resorted to as such, or, at least, in place of such, for the winter season, by hundreds of rambling idlers, who go abroad merely because they don't know what to do with themselves at home. Now we would humbly suggest to all these worthy persons, that it is scarcely worth while to cross the ocean, and the Alps, and the Appennines, for no other purpose than to saunter on the Trinità de' Monti in the morning, and dance quadrilles in some palazzo in the evening; that they might almost as well show themselves off on horseback in the Park as on the Corso, and waltz in their native assembly-rooms as in the eternal city; nay, that their steps, however perfect or Parisian, would appear to quite as much advantage on the chalked floors of Britain, as in the deserted area of the Coliseum at Rome. For it has, alas! actually been our un-

happy lot to see many a quadrille performed by sentimental young ladies and well-dressed young gentlemen, by moonlight, within the arcades of that noble ruin! But it is not only the English who rush in crowds to Rome. People from the remotest parts of the earth are congregated there; Germans, Prussians, Poles, and Bavarians, of every light-haired tribe; Russians from their frozen deserts; Swedes, Danes, and Norwegians from their icy rocks; Americans from their "rivers unknown to song;" Dutchmen from their dykes, wild Irishmen from their bogs, and Highlanders and Icelanders from their stormy hills and "utmost Thule," stand gazing on the grass-grown site of the Roman forum.* But after all, it is not without a mingled sensation of pride and pleasure that we contemplate the superiority of our own countrymen in numbers as well as in consequence and cultivation; for the wealth and greatness of every nation are not unaptly represented by the number of travellers it sends at present to Rome; and the English out-number those of every other country by at least fifty to one.

Perhaps few subjects are more interesting or more hackneyed than the past, present, and future state of Rome. Of all the writers who have described it, by far the most able, the most original, and the most amusing is the author of Rome in the Nineteenth Century. That the book should be amusing we confess we think most extraordinary.—"Guides" are generally the dullest of mortal performances, and a Guide to Rome, that great museum of the world, where antiquities, arts, churches, palaces, libraries, paintings, statues, popes, cardinals, and other curiosities are stored up by hundreds, where there are thousands of indescribable objects to be described, millions of incomprehensible things to be explained, and myriads of (now) undistinguishable sights to be seen; a Guide to Rome we should certainly have thought it scarcely possible to write, and wholly impossible to read. Rome in the Nineteenth Century is, however, not only readable, but very amusing, and certainly no travel-

* We must take occasion to observe, in passing, in order to stop the waste of lamentation which sentimental travellers still persist in pouring out, over the forum being turned into a cattle-market (though certainly not one of them ever saw a cow in it)—that it is not a cattle-market, and has not been a cattle-market for many a good year. A worthy old pope, long ago, made an excellent cattle-market, near the Porta del Popolo; and this cattle-market, by the way, is particularly well worth seeing—not so much for the sake of the cattle, though they are very beautiful—but for the fine heads and forms of the mountain peasantry, which form an admirable study for an artist.

ler should visit Rome in the Nineteenth century without the work in his hand. When the book first appeared, we were filled with such horror at the bare idea of a description of Rome, its splendors of antiquity, of art, and of classic fame, in three thick volumes, by a young lady, that we shrunk appalled from the very touch of its leaves, and literally never mustered courage to look into it. But when, at length, our fate conducted us for the second time to Italy, and when the dreary monotony of journeying hour after hour, day after day, and mile after mile, prompted us to rummage the pocket of the carriage for some resource against that tedium which every luckless traveller must have felt, "Rome in the Nineteenth Century" beguiled the weary way; "Rome in the Nineteenth Century" during the delightful months we passed there, was for ever in our hands; "Rome in the Nineteenth Century" was for ever sounded in our ears—by every traveller—and to "Rome in the Nineteenth Century" we now pay this just tribute of our applause.

We wish, however—a wish rarely, indeed, formed in reading books of travels—that the author had given us—not less, indeed, of Rome—but more of her tour to it. The day at Florence, the glimpse of Siena, and the whole journey from thence to Rome, including her own adventures, are admirably described. The work is so well known that we shall only quote a few short passages, which we take at random, in confirmation of our encomiums on this part of the work. We open upon Siena.

'Siena stands on the top of an ugly hill, unsheltered by a single tree from the blasts of winter, and equally unshaded from the heats of summer, at the very verge of the fertile region of Tuscany, and bordering upon a sterile and desolate tract, which extends many miles to the southward. I cannot give you any adequate idea of the utter nakedness of this singular waste, which is so completely destitute of all kinds of vegetation, that not a weed, nor a single blade of grass, nor heath, nor lichen, meets the eye over its whole extent, while its bare and broken surface is heaved up into small abrupt mounds or hillocks, of pale arid hue, which have every appearance of having been formed in some crisis of volcanic eruption. Indeed the whole country is composed of nothing but the matter, or the refuse, of this terrific agent.

'The *tufo*, which I now saw for the first time, and of which almost all the low hills about Siena are composed, is so soft as to break and crumble in the hand like friable sand-stone. It is of a grey colour, and frequently of an aggregate formation, and is supposed to be composed of the ashes, mixed with the boiling water and mud, which are thrown out in immense quantity in all volcanic eruptions. But all this scene of desolation is on the south side of Siena. I forget that we are still on the north, and that I must get you through it—no easy matter; for the hills are so many and so steep, and the streets are so slippery and so narrow,

that they seem never to have been intended for the ordinary purposes of passage; and, in fact, there is a considerable part of the town into which no carriage can penetrate.

'The pavement is generally of brick, placed angularly; it seems to be exactly the *opus spicatum* of the ancients, so called from its resemblance to the way the grains are set in an ear of wheat.*

'The city has an antiquated appearance; its streets, or rather lanes, are lined with high gloomy old fashioned houses, looking like jails, and called, or rather mis-called, palaces, which have fallen into decay like their possessors, who are too proud to resign, and too poor to inhabit them.

'Many of them are furnished with high towers for defence. It is curious to see fortified dwellings in the midst of cities. That "every man's house is his castle," seems to be true in a very different sense in Italy from what it is in England. Here, indeed, they were calculated to stand a siege, and are monuments of that age of feudal strife in which the proud barons waged continual war with each other, and the sword never rested in its scabbard. They are common in Pisa, Bologna, Florence, and every city which was once a republic.

'The *Duomo*, or cathedral, is one of the largest, heaviest, and most magnificent churches of Italy. The tower of the *campanile*, or belfry, is here attached to the building; but the whole, like Florence, is built of alternate layers of black and white marble.'

'Marble sounds more magnificently; but stone, in my humble opinion, is infinitely better adapted for exterior building; it looks nearly as well at first, sustains far less injury from time and exposure to weather, and when marble would be stained, moss-covered, and decayed by age, it preserves a smooth, solid, and unspotted surface; but whatever may be thought on this head, the mixture of contrasting colours, either in marble, or any other kind of building, must ever be offensive to the eye of taste. Only conceive what would be the effect of Westminster-abbey or York Minster, covered from top to bottom with black and white horizontal stripes! Yet such are the cathedrals of Florence and Siena.'—*Rome* Vol. i. pp. 42, 46.

By the way we well remember that the sight of these much vaunted cathedrals reminded us of a Dutch fashion we had formerly admired when travelling in Holland, that of painting fine large timber trees from top to bottom in neat black and white stripes!

The author then visits a palace at Siena, where she says,

'We walked through a long suite of cold, empty, poverty-struck rooms, filled with a great number of bad paintings, not one of which was worth looking at; and we saw a dirty Marchesa, whom I took for a maid servant, and was on the point of giving her some money—for she only made her appearance as we were going away—when our old lacquey luckily prevented me, by announcing her rank.

'She had in her hand an earthen pot full of hot wood-ashes, which the

* Winkelman sur l'Architecture, cap. i, 6.

Italian women of all ranks use instead of a fire, and carry with them wherever they go, both in the house and abroad; they call it their *marito,* (husband) and it is indeed that marito to which they are most constant.

'Siena is a very dull place. Some English friends of ours who spent a winter there found a great want of cultivated society. A few ancient, ill-educated families inhabit their hereditary mansions; but even these mix little with each other; it being the laudable custom for every lady to sit at home every evening to receive company, never making a visit to another. The gentlemen are divided among these rival queens, all of whom are happy to receive strangers of either sex—but what is there in such societies to attract? That there are among them many individuals of accomplished mind and manners, I do not doubt. I speak only of the society in general. Life stagnates here; for its active pursuits, its interests, its honours, its pleasures, and its hopes, can have no place. No happy Briton can see and know what Siena is without looking back with a swelling heart to his own country.

'We paid a visit to the house of St. Catharine of Siena, where are still to be seen—besides an ugly chapel painted in fresco—the stony couch on which the poor little saint used to sleep at nights, and the very identical spot where our Saviour stood when he espoused her, and put the wedding ring on her finger! My astonishment was unutterable. I have seen the marriage of Christ and St. Catharine a thousand times in painting, but I always concluded it to be metaphorical, or thought, at most, that credulity had magnified some accidental dream into a vision sent by Heaven; but it never once entered into my head, that any human being had ever imagined, or pretended that such a marriage really did take place. Yet here I was repeatedly and most solemnly assured by every body present—consisting of a priest, a lacquey, a tailor, and two women—that our Saviour actually appeared on this spot in his own proper person, invested her with the ring, and declared her his spouse. Nay, they affirmed that he carried on a most affectionate correspondence with her, and that many of his letters of conjugal love are still extant. Of these, however, I could not obtain a sight; but I saw, in the public library in this city, several epistles on her side to her dear husband Jesus Christ, and her mother-in-law the Virgin Mary.

'That such a legend ever should have been credited in the darkest ages of extravagant fanaticism, I could scarcely have believed; but that it should have been gravely repeated as authentic in the nineteenth century, nothing, I think, short of the evidence of my senses, could have convinced me'—pp. 56—59.

The description of the wretched inn they passed the night in is good.

'Night closed in upon us long before we reached our destined place of rest, the wretched *Osteria* of the still more wretched village of Buon Convento. Thither, when a wearisome pilgrimage of four mortal hours had at last conducted us, its half-starved looking denizens would not admit us into the horrible pig-sty in which they wallowed themselves,

but conducted us to a lone uninhabited house on the other side of the way, in which there was not a human being. We were ushered up an old ghastly staircase, along which the wind whistled mournfully, into an open hall, the raftered roof of which was overhung with cobwebs, and the stone-floor was deep in filth. Four doors entered into this forlorn-looking place, two of which led to the chill, dirty, miserable holes, which were our destined places of repose; and the other two, to rooms that the people said did not belong to them; neither did they give any very distinct or satisfactory account of who might be their tenants—one old woman assuring us they were inhabited by "nessuno" [nobody], while the other maintained they were occupied by "gallant' uomini" [very honest people]. In the mean time, it was certain that the frail doors of our dormitories would yield to the slightest push; that the door of the hall itself leading upon the stairs had no fastening at all; that the stairs were open to the road in front, and to the fields behind, the house itself having no door whatever; and thus, that whoever chose to pay us a nocturnal visit, might do so without the smallest inconvenience or difficulty to himself.

'What was far worse, it was miserably cold, the wind blew about us, and we could get no fire. But there was no remedy for these grievances, and we resigned ourselves to fate and to bed. The two hideous old beldames who had brought us our wretched supper, had left us for the night, and no human being was near us, when we heard the sound of a heavy foot on the creaking staircase, and a man wrapped in a cloak, and armed with a sword and musket, stalked into the hall.

'If we had been heroines, what terrors might have agitated, and what adventures might not have befallen us! But as we were not heroical, we neither screamed nor fainted, we only looked at him; and notwithstanding his formidable appearance, and that he had long black mustachoes and bushy eye-brows, he did us no mischief, though he might have cut our throats with all the ease in the world; indeed he had still abundance of leisure for the exploit, for he informed us that he had the honour of lodging in the house; that he was the only person who had that honour, and that he should have the honour of sleeping in the next room to ours.

'Finding him so courteous, and being aware there was no means of getting quit of him, we treated him on our parts with the utmost civility, perhaps upon the principle that the Indians worship the devil; and exchanging the salutation of "felicissima notte" (a wish which, however benevolent, there seemed small prospect of being granted), our whiskered neighbour retreated into his apartment, the key of which he had in his pocket, and we contented ourselves with barricadoing our doors with the only table and chair that our desolate chamber contained; then in uncurtained and uncoverleted wretchedness, upon flock beds, the prey of innumerable fleas, and shaking with cold, if not with fear, we lay the livelong night; not even having wherewithal to cover us, for the potent smell of the filthy rug which performed the double duties of blanket and quilt, obliged us to discard it, and our carriage cloaks were but an inadequate defence against the blasts that whistled through the

manifold chinks of the room. We got up, however, at four o'clock the next morning, unmurdered; our friend of the musket and the sword, I make no doubt, being still fast in the arms of Morpheus; and we began in the dark to wend our weary way from this miserable *Osteria*.'—Vol. i. pp. 60—63.

The descriptions of the scenery convey some ideas to the mind—an eulogy, which, if properly understood, is a very high one.

'From La Scala we toiled up apparently interminable hills, till at last, contrary to my expectations, we reached the top of the wild and savage mountain of Radicofoni. It was heaped with tremendous ruins of nature. All around huge blue fragments of basaltic rock were strewed so thickly, as in most places wholly to conceal the surface of the earth. When exposed to view, between these heaps of scattered rock, it was quite bare, and looked as if from creation it had never borne one blade of grass. Dark barren hills of stone, rising all around us, met our eye in every direction; it is impossible to conceive a more desolate scene. It seemed as if the beings that inhabited it must, of necessity, partake of its savage nature, and the aspect of those we saw well accorded with its character.

'The countrymen were all clothed in shaggy sheep-skins, with the wool outside, rudely stitched together, to serve as a covering to their bodies; and pieces of the same were tied about their thighs, partially concealing the ragged vestments they wore beneath. Their legs and feet were bare; and this savage attire gave a strange, wild effect to the dark eyes that glared at us from beneath their bushy and matted locks. Indeed their whole appearance reminded us literally of wolves in sheep's clothing.

'The peasants all say this mountain was once a *Vesuvio*, which is very naturally throughout Italy, the generic name for a volcano amongst the country people; and it is impossible to look on this scene of tremendous desolation, without sympathising in their belief, that it is the work of a subterranean fire.

'The *Dogana* of the Arch-duke, by the road-side, reminded us that we here quitted the frontiers of Tuscany, and entered the Estates of the Church; and a mile or two farther, at Ponte Centini, we stopped to give the officers of his Holiness the customary bribe of five pauls not to open our trunks. Indeed, throughout Italy, the *Dogana*, or Custom-house, operates as a direct tax upon travellers. I have not yet met with one instance in which a bribe has been refused, though occasionally the officers are both insolent and oppressive. The creation of a Dogana, not only in every state, but in every individual town of every state, is likewise extremely vexatious both to travellers and residents, and a measure of most egregious absurdity on the part of the governments. Throughout Italy it is the same; no state lets itself be outdone in folly by its neighbour, and the continual examinations, the payment of petty fees, the delays and insolence of office, the wranglings, the "loss of time and hindrance of business," not only are the greatest possible annoyance to the luckless traveller, but are a complete check upon commerce.

'After compounding, as usual, at the Dogana of his Holiness, we were allowed to proceed unmolested. It was dark, and no moon lighted us on our way through this desolate country. By the last fading light of evening, we saw ourselves alone on a wide extended waste, without a trace of man or human habitation, or living thing. Here, and there, indeed, a scanty bit of cultivation, unenclosed, and seemingly taken at random on the waste, showed by its surface, impatiently scratched up rather than ploughed, that man had been there, though sullenly and in haste; but where he had come from, or whither he had gone, the mind vainly sought to penetrate. It was like the print of a savage foot in the deserts.'—Vol. i. pp. 64, 68.

After noticing some reputed Etrurian monuments, the author observes, that

'Few, indeed, if any, are the monuments that remain to us of Etrurian times. The destruction that has overwhelmed their works, and the obscurity that involves their origin, alike vainly excite our regret and our curiosity; and we must ever deeply lament, that almost all traces have disappeared of the early history of that singular people, who, in the very infancy of society, seem to have preferred, with rare philosophical discrimination, the culture of the arts of peace to the alluring conquests of war; and to have attained wisdom, civilization, and jurisprudence, while all the nations around them were plunged in barbarism, and the Romans themselves had not even a name. To these, their conquerors, they subsequently gave their arts, their sciences, their learning, their laws, and even their diversions; and, however little we know of the events of their history or the progress of their institutions, we may be assured, that a people who enjoyed freedom, and had organized a regular representative government, must have attained no inconsiderable stage of civilization: for despotism, in some of its forms, is almost invariably the government of barbarous states—where they have any government at all. Independent of this, the vestiges of their fine arts, their sculpture, their painting, and their architecture, their statues, and their vases, would alone attest that they were a refined and polished people.'—Vol. i. pp. 76–77.

The description of the view of the waterfalls of Tivoli from the Syren's cave, betrays the sex of the writer, and her principal vice—sentimental exaggeration in her description of the beauties of nature. She is, however, eloquent, imaginative, and original even in these worst passages of the book. In verse they would, we doubt not, be very fine—nay, surpass much of what has been praised as exemplary of the highest reach of the poetical art. The following passage, for instance, may be compared with lord Byron's celebrated description of the waterfalls of Terni in the fourth canto of *Childe Harold*, and not lose very much by the comparison:—

'From these hollow dripping rocks, on the very brink of the impetuous torrent, which almost laves our feet as it foams along, we look up to

the thundering cataracts above us, almost deafened with their ceaseless roar—and look down into the shuddering unseen depths of that dark abyss, which yawns beneath to swallow up the foaming waters.

'Never shall I forget the view from the Syren's Cave. The tremendous cataracts above—the fearful gulf below—the depth of which our shuddering sight vainly seeks to fathom, the roar, the rage, the strife of the maddening waters, impelled onward as if by an irresistible destiny, to their terrific doom; the narrow step that separates us from their sweeping fury, hovering as we stand on the brink of perdition. No!—Words can never speak its sublimity!

'To me a mighty cataract has always seemed the most sublime of all the terrors of nature. There is something in its continuity, and its unabating rage, which strikes our souls with awe and wonder. All things else in nature change and perish—and all that are the most fraught with force and power, are the most evanescent, except this. The tempests of the ocean pass away—the thunder-storm endures but for a time—the dread hurricane is soon at rest—the volcano's red streams of liquid fire grow cold, and are extinguished—and the earthquake itself, that shakes the foundations of the earth and swallows up whole nations in its yawning womb, is but the convulsion of a day. But we behold the ceaseless fall of that torrent, which has held on its raging course from the beginning of time, and will continue to its latest close—which knows no rest, no stop, no change—by night and by day—in storm and in sunshine—the same in every moment of the past and the future—yesterday, to day, and for ever.'—Vol. iii. pp. 358–359.

Another passage of the same kind, relating to the Obelisks, has just caught our eye. It is ingenious, and eloquent in its way.

'Rome alone, of all the cities of the world, boasts the obelisks of Egypt. These sublime monuments of the grandeur of past ages, were not formed, like the works of our degenerate days, by the slow aggregation of minute parts, but hewn out of one tremendous block of everlasting granite. They were destined to perpetuate the memory of Egyptian kings, whose very existence is now forgotten. They were brought hither to swell the triumph of Roman emperors, whose long line they have seen pass away. They were overthrown by barbarians, whose civilized descendants now lament their fall; and they have been re-erected to the glory of popes, with whose obscure names they are now inscribed. It is a strange, and somewhat a humiliating contrast, that it has been considered a triumph of modern art, even to raise from the ground those masses, which were brought from the remote regions of Nubia, to grace the ancient capital of the world.

'So arduous did this enterprise appear, and so great were the difficulties attending it, that when the removal of the obelisk, in the grand Piazza of St. Peter's, was determined upon, several years of preparation elapsed before it could be carried into effect. Men of science, all over Europe, were consulted upon the means of accomplishing it. Proposals from architects, engineers, and mathematicians, were sent in from

all quarters; and when, after mature deliberation, the plan of Fontana was adopted, and every thing was, at last, in readiness for the great attempt, the day was ushered in by the celebration of high mass in St. Peter's, after which, the architect and the workmen received the solemn benediction of the Pope,* who implored the blessing of heaven to prosper their great undertaking. The engines were then set in motion, and an incredible number of labourers and horses strained every nerve to aid their effect, but it was not until after fifty-two unsuccessful efforts, that the mighty mass was raised from the earth and swung in the air. Then the shouts of assembled thousands rent the air; the cannon from the Castle, San Angelo, proclaimed the triumphant tidings, and the bells of all the churches rang peals of joy.'—Vol. ii. pp. 158, 159.

Then follows a learned account of the obelisks—at the end of which is this passage:

'The obelisk which now crowns the lofty summit of the Pincian-hill, in front of the church of the Trinità de' Monti, towering far above the domes, the towers, and the palaces of "the Eternal City," enjoys by far the most beautiful situation of all the obelisks of Rome. But no cold description can convey to you, at a distance, the feelings with which such monuments are viewed here. How often, when the calm moon beams have shone on the beautiful solitude of the Trinità de' Monti and involuntarily awakened feelings too deep for expression, have I gazed in the silence of the night on the tall summit of that stupendous obelisk pointing to the skies, and thought that, among the works of man, there are none more sublime than these! Their formation is lost in the earliness of time, and they will probably last till time be no more; till the earth and "all that it inherits" have passed away. In them, art seems for once to have vied in durability with the works of nature. Formed of the most imperishable of materials, they are fashioned by the being of a day, but they have remained, while countless generations have gone down to the dust. They have survived all that mankind deem most stable—laws, languages, institutions, nations, dynasties, governments, and gods. They are the work of a people now no more—the monuments of a religion passed away, and covered with the characters of a language that is forgotten. The unknown antiquity, and the mysterious obscurity that involve their origin—the long flight of ages past, which they have seen, and the dark and distant futurity to come, which they seem destined to witness—open on our mind while we contemplate them, and make us sensible of our own littleness—make us remember, that, in the passage of a moment, we who now feel, think, admire, and meditate, shall be no more, while they will stand, the wonder and admiration of the world.'—Vol. ii. pp. 164, 165.

On looking back, we regret that our extracts have happened to be so much in the same strain; for the work itself is remarkable for the versatility of talent which it displays. Considerable

* Sextus V. A. D. 1589.

learning is joined to great brilliancy of fancy; poetical enthusiasm to a quick sense of the ridiculous. The author's imagination, in short, is distinguished both by its activity and variety, as well as its richness and extent. The account of the antiquities (by far the most complete that has ever been published) of the museums of art, of the people, of Italian life and manners, of the religious mummery, of the holy week, the carnival, the convents, nay, even of the churches and palaces, are all original and entertaining in the extreme.

"Italy and the Italians in the Nineteenth Century"—a title apparently borrowed without any ceremony or acknowledgment from that of "Rome in the Nineteenth Century," cannot, however, be accused of the smallest similarity to it in the contents. Of Rome, indeed, Mr. Viesseux says nothing, and the only reason he assigns for this strange omission is "that he knew it earlier and longer and better than any other part of Italy;" a reason rather unsatisfactory. But Mr. Viesseux had a better reason than this—he had neither the learning, the taste, nor the talent, to do justice to such a subject, and he is very judicious in shunning a field so successfully occupied before him. In his work we find none of the extensive knowledge, the powerful mind, the spirit, the vivacity, and the charm of nature and of genius which breathe through the three volumes of "Rome." But this we could have excused; for we did not expect, nor in fact did we desire it. But we did expect that a work written expressly *upon* the Italians, by one who was "acquainted from infancy with the language and manners, brought up under their sky, and nursed in their homes," would contain some valuable and interesting details of the people; of whom, however, Mr. Viesseux tells us nothing that a stranger could not as well have told; and we cannot but lament that he had not said more of the domestic life, and habits, and peculiarities of the Italians, and less of the thousand-times described scenery and sights of Italy. In fact, when a man writes two small volumes, professedly as a sketch of the people, it is a manifest absurdity to fill far more than the half of them with tedious descriptions of places, and useless dissertations on history, and lame accounts of things which he himself, very judiciously, assures us he does not understand. Of all the ciceroni that ever flourished, we have always thought our old friend, the Devil on Two Sticks, incomparably the best; and if Mr. Viesseux would (which it appears he could) have been to us a similar devil, and, like little Asmodeus, have opened to our view the interior of the houses, the sayings and doings of the people, their pursuits, and habits, and modes of life, he would have been the most popular—we had almost said of Devils—but we

mean of poor devils—authors—and have far surpassed the most elaborate descriptions of churches, and palaces, and pictures, and statues, and lakes, and water-falls, that ever was compiled. But Mr. Viesseux cannot resist showing off his learning. Accordingly he sets out with Naples, and is kind enough to inform us, that its foundation is attributed, though *upon dubious authority*, to Parthenope *the daughter of Eumelus king of Chalcis in Eubœa* —that it was called Parthenope, from this said king's daughter, but the name was changed to Palæopolis, entirely from opposition to Neapolis, or New Town, built, by a Greek colony, close to it; that, moreover, the name of Neapolis has remained to this day, and that the present city is exactly eight times as large as both Palæopolis and Neapolis united" (with every street of which he seems intimately acquainted); and after enlarging upon the precise extent and site of these two ancient cities, he describes the extreme age of the present buildings in Palæopolis "which is to this day the worst built and oldest looking district of Naples; and where the streets are most narrow and crooked, the houses tremendously high, ruinous, and crowded; and when a stray traveller happens to venture in that labyrinth, he sees the genuine Neapolitans of the old school, such as we may suppose their forefathers were." Now all this and a great deal more of such stuff might have been advantageously spared; and we could have also dispensed with the description of the modern town of Naples, and of the environs, which is far from happy, the hackneyed history of the kingdom of Naples and queen Joanna, together with all the reflections, moral and sentimental, upon Naples—nay we could have resigned the meritoriously minute and accurate accounts of all the plots of all the operas and ballets at all the theatres which Mr. Viesseux attended. We are the more provoked at his folly in filling his pages with such rubbish, because the little he does tell us about the people is really entertaining,

Describing the Toledo, he says—

'It is always crowded to excess with people, carriages, horses, donkeys, &c. and being like all other streets, destitute of foot pavements, is rendered very uncomfortable, especially for pedestrians. The number of retailers selling provisions and goods of every description in the street; the people working and cooking in front of the shops, which, for the benefit of the air, are mostly open; the quantity of curricoli or gigs drawn by little spirited horses, and driving furiously along; the swarms of vagrants and beggars infesting the place at all hours—all these mixed with the gay and splendid equipages of the nobility; the appearance of well-dressed females at the balconies; the elegance of the numerous coffee and ice shops, exhibit an *ensemble* of contrast, confusion and bustle, to which I have seen nothing equal in any other part of

Europe. The naturally clamorous habits of the Neapolitans are strengthened by the continual noise which obliges them to vociferate loudly, in order to be heard even by their immediate companions. With all this, Toledo affords a very curious appearance to a stranger by the variety of motley groups with which it is thronged; priests in black; friars in white and grey; officers in gay military uniforms; *paglietti* or lawyers in their professional costumes; sober citizens dressed in suits of a variety of colours, blue, green, brown, yellow, and grey; women, some in the old Neapolitan *manto*, a black silk gown and hood; others in the modern costume, which they have adopted from the French; those of the lower class, either with handkerchiefs tied round their heads, or with the Sicilian *peddeme*, a piece of calico thrown loosely over the head and shoulders; and half naked lazzaroni, having no other garment but merely their shirts and trowsers. I can hardly think myself in a civilized country, but feel as though transported to some of the European settlements on the coast of Africa.'—Vol. i. pp. 38, 39.

In the holy week it presents a very different spectacle—

'In the afternoons of the Thursday before Easter and Good-Friday, the city of Naples affords a striking sight; people of all ranks go about visiting the different churches, where the lower part of an altar is fitted up with more or less splendor to represent the sepulchre of our Saviour. By an order from the police, which is regularly issued at this time every year, carriages are excluded from the street of Toledo, so that people may quietly walk along without fear of being trampled upon by some careless or unskilful driver. The dress, customary on these two days, is black, both for men and women. Such an assemblage as Toledo exhibits then is not to be seen any where else. Young and old, ugly and handsome, rich and poor, elegant and shabby, beggars and lords, servants and masters, are all seen walking along promiscuously, with an air of decorum and sedateness very different from their general character. The King, Prince Leopold, and the Princess his consort, went on foot, accompanied by their suite, through this sort of pilgrimage. The band of the grenadier guards was playing a dead march, and the soldiers carried their firelocks reversed. No bells are allowed to ring, no clocks to strike, for forty eight hours, from Thursday morning to Saturday. A wooden rattle is employed to mark the hours. All this is in commemoration of the death of our Saviour.

'I observed on this occasion a greater display of female beauty than I had ever seen in this metropolis, and I acquired a better opinion of the Neapolitan fair sex. The fact is, that a great number of pretty women, particularly of the middling classes, very seldom are granted the indulgence of a walk through the city, except on some great occasions, among which that of the holy week is never neglected. On the other side, the nobility, who, at other times, seldom go out but in their carriages, deign, on this solemn occasion, to mix with the pedestrians.'—Vol. i. pp. 62, 63.

The Italian Catholics do not attend to the fasts of the church, with the same scrupulous starvation as the British Catholics—

'The Carnival has been succeeded by the Lent: the penance and fast prescribed at this time are now but loosely observed The Pope, in consideration of the dearth of salt fish and other provisions, and perhaps on account, also, of the diminution of fervour, gave this year an indulto, or permission, to eat meat as usual; however the Zealots abstain from it, and content themselves with only one meal in twenty four hours. This is the way Lent used to be kept in former times by all Catholics. But now, *O tempora! O mores!* the greater number eat meat even on Fridays and Saturdays, which is actually a breach of the commandments of the church of Rome. The lower classes are the strictest in the observance of their religious practices.'—Vol. i. p. 58.

Pulpit oratory in Naples is at a woeful pass.

'The common sermons that one hears on Sundays in the church of Naples, do not give, in general, a great idea of the learning and oratorical powers of the Neapolitan clergy. The orators either bewilder themselves in attempting to explain some of the mysteries of religion; such as a preacher I heard in the church of Lo Spirito Santo, who, in order to render the idea of the Trinity intelligible to his audience, employed comparisons drawn from the ancient mythology of Jupiter, Neptune, and Pluto; or, if they preach upon morality, they often enter into details either indelicate or degenerating into the burlesque. One of them preaching before a numerous audience, chiefly composed of females, and descanting upon the evil consequences of the passion of love, described, in very lively colours, the beginning and progress of it, the ogles, billet-doux, assignations, &c., by way of warning his auditors against the danger of such practices. A stranger, and even an Italian from any other part of Italy, is scandalized at the grossness of these Neapolitan sermons; but I have heard some of the national clergy assert that it is the only way to render them palatable to the greater part of their audience. The itinerant preachers and missionaries, who are to be seen preaching in the streets of Naples, mounted on a bench or stool, and addressing themselves chiefly to the lazzaroni, often reach the extreme of vulgarity in their expressions, to which their rude hearers listen with the greatest attention; and I have seen the latter at the close of the exhortation, fall on their knees, beat their breasts, and shed penitential tears: the consequence is, that many of them follow the priest to his lodgings, confess their sins, return stolen articles, forgive their enemies, and, in short, make amends for their past misdeeds as far as lies in their power.'—Vol. i. pp. 60, 61, 62.

The little excursion to Castellamare is very pleasing.

'On the first of August I set off with a party of friends to visit the Peninsula opposite to Naples, and which divides this bay from the Gulph of Salerno. We embarked in one of the *lancie*, or long-boats, that set off every day about noon from Naples for Castellamare. This was the cheapest passage I ever had; the fare is only a *carlino*, about four-pence English, for each person, besides which, one is expected to give a few

grains *per le anime del purgatorio.** The distance is about thirteen miles, and we went across in three hours, chiefly by rowing, as there was scarcely any breeze. We had in company with us a party of strolling musicians who were going to a little town called Gragnano, to attend a festival. They played some tunes when we were in the middle of the Gulph, gliding through its blue waves, in sight of the most delightful scenery in the world. On arriving at Castellamare, we proceeded to the inn on the *marina,* or walk along the sea-shore. We found this inn the best in the neighbourhood of Naples. The accommodations were good, the charges reasonable, and the prospect which the house commands, beautiful. Castellamare is a place much resorted to in summer, its various mineral waters, which are beneficial in many complaints, and its fine cool situation, sheltered by the mountains from the sirocco, are the chief attractions of the place. The most celebrated waters at Castellamare are the *acqua media,* which is impregnated with sulphur, the *acqua rossa,* which is chalybeate, and the *acqua acetosella,* which resembles the *acqua sulfurea* of Santa Lucia at Naples. The common method prescribed by the physicians here is, to drink half a bottle of the first in the morning, a tumbler of *acqua rossa* mixed with wine at noon, and as much of the *acetosella* as one can drink, in the evening.'—Vol. i. pp. 122, 123.

Mr. Viesseux next ascends "Monte San Michela, or San Angelo, which rises behind Castellamare, and is the highest mountain near Naples, being 4000 feet in height, and takes its name from a chapel on the top, built in honour of the archangel, St. Michael." During this ascent he unmercifully gives us three separate and accurate descriptions of the prospect!—He gets to a spring about half-way up, called "L'Acqua Santa."

'The spring is called *L'Acqua Santa,* from an old tradition which reports, that the Devil having once established a school on the summit of the mountain, was driven from it by the archangel, and, that while Satan was running down the hill as fast as he could, Michael threw his spear at him, which, missing its aim, fixed itself in the rock, where it made the cleft from which the water springs.'—Vol. i. p. 126.

Mr. Viesseux says, that "one material objection struck him to this legend," viz. that the spear must have travelled round the corner of a projecting part of the rock, before it could have touched the place. For our part, such is our faith, that this circumstance would not in the least affect our belief of the legend. They passed a miserable man lying on the mountain, prevented by an abscess on the knee from moving, and aban-

* It is a general custom in Italy to collect money from charitable and religious persons, for the purpose of having masses and prayers said for the relief of those souls which are doing penance in purgatory, according to the Catholic belief.

doned alone, without food or shelter, help or defence, " where he might die of hunger or illness, or be devoured by wolves."

Mr. Viesseux now gets up to the top of the mountain. Being near the clouds he becomes sublime. After coming down and " regretting the necessity of descending from such scenes of sublimity to the haunts of men," he arrives at Castellamare, where he equally regrets the want of his dinner; for " it being Sunday the hostess of the house had gone to church; an old servant that remained at home with a mulatto girl could, or would, do nothing for us; and, to crown our misfortunes, Teresina, the landlady's niece, a stout dark-eyed lass that attended us the day before, had eloped that very morning with her lover, the waiter of an adjoining coffee-house, so that we could obtain nothing to satisfy the cravings of appetite." Having been both very sublime and very hungry, Mr. Viesseux now becomes very sentimental. Strengthened by his dinner, he commences a rhapsody about " the plain of Sorrento, five miles in length, a sequestered spot realizing the description sung by poets of the Vale of Tempe or the Gardens of Armida;" and in it, " besides the city of Sorrento, placed at the farthest extremity of it, there are three large villages, Meta, Carotto, and Sant' Aniello."

' There is a striking difference of manners and morals between the inhabitants of this spot, and those of Naples, although the distance is so very short. Two hours' sail across the Bay carries you from a busy, noisy, and corrupt city, into a kind of Eden, where tranquillity reigns, and simplicity and hospitality are still to be found; where no crimes are heard of; and where young men and girls appear gay, innocent, and happy. [The simplicity of parson Adams was nothing to this!] The men repair to the capital now and then only for the purpose of commercial intercourse, but their stay in town is short, and solely devoted to business. People talk, however, now, of making a carriage road from Castellamare to Sorrento, which would prove a misfortune to this district; the Neapolitans would then be enabled to drive to it in their curricoli, and bring with them their luxury and their vices [just as if vices could not travel except in *curricoli*] to contaminate these peaceful inhabitants, &c. &c.'—Vol. i. pp. 135, 136.

It is quite impossible for every stranger, like Mr. Viesseux, not to subscribe to the opinion current among all the Italians, not excepting the Neapolitans themselves, that " Naples is a Paradise inhabited by devils." But he tells us that it is a Paradise for women as well as for devils—a partnership peculiarly flattering to the fair sex. His account of the Italian women is interesting.

' With respect to their character, the Italian women have several qualities in common with other southern females, such as those

of Spain and Greece. Love is the predominant passion in Italy; almost every other is subservient to it; its influence and power, and the different shapes in which it affects its votaries, are shown by the national poetry and songs, in which, sentiments are frequently found, that, to a foreigner, seem exaggerated, but which are perfectly natural to the Italians. Love with them is the business of life; it is the source of affection or hatred, generosity or revenge, of joy or despair, of life or death. Young and old submit to its sway, and no one is ashamed to confess himself its slave. *Fate l'amore? Chi è la vostra innamorata?* are common questions in Italy, and ordinary topics of familiar conversation.* What are the causes of this universal bias, especially among women? Nature, climate, and education; the influence of the first two cannot be doubted by any observer of mankind, and that of the last is very powerful in Italy. Girls, from their infancy, are in a certain manner taught to love; the books that are put in their hands are full of the tender passion, which forms the chief interest and main spring of all their poetry; they are mostly unacquainted with those more serious studies which strengthen the mind; their principal accomplishment is music, and they learn to breathe their half-suppressed sighs, in singing a tender *canzone,* accompanied by the soft tones of the guitar. Kept under the watchful eyes of their parents or guardians, debarred from the intercourse of men, their principal resource is the balcony, which is thrown open during a great part of the year; there they pass whole hours, working and looking on at the same time at the people in the houses opposite, or at those who pass in the street; there they often make acquaintance with some young man, and keep up a sort of mute dialogue with him, from which begins the whole drama of courtship and love. The *Passeggio,* or public walk, which, in most Italian towns, is in some of the principal streets, on Sundays and other holidays affords young women a good opportunity of seeing and being seen. The *Corso* at Rome, *Toledo* at Naples, *Porta Orientale* at Milan, *I Porteci* at Turin, and *Strada Nova* at Geneva, are all famous places for the display of female beauty.—Vol. i. pp. 194, 195.

The author very justly observes, that "devotion and love are often closely allied in the Italian women;" so closely, indeed, that love seems to be devotion, and devotion is nothing but love.

'The state of morals at Turin is not so loose as at Milan, Venice, or Naples. The good example and strict regularity of the court keep the upper classes at least within the bounds of outward decorum and decency. Young ladies are brought up very strictly, either in nunneries or in their own houses, until the time of their marrying. Gallantry to married women is practised among people of fashion; but in the other classes it is less frequent, or carried on with more caution and secrecy. I think one of the reasons which renders this evil so common in the upper classes,

* They who wish to understand any thing of the nature of love among the southern nations of Europe, must read a charming little book in two vols. 12mo, entitled De l'Amour, published at Paris two or three years ago, by the Comte de Stendahl.

is the little attention paid to the inclinations, tastes, and sympathies of the parties, in matrimonial alliances. Young blooming girls are often bestowed in marriage on old invalids, or worn-out rakes, who have no other recommendation but their rank and fortune: such preposterous connexions cannot be happy; nature has its rights, which all the contrivances of men cannot destroy. In proposing a marriage to the relations of a young lady, the first things settled are, her portion, pin-money, carriage, opera-box, number of servants, house in town, villa in the country, and other items; the least important parts of the whole is to know, what kind of education the girl has received, what her dispositions and tastes are; and scarcely any attention is paid to her sentiments towards her future husband.'—Vol. ii. pp. 28, 29.

'Marriage is at Genoa a matter of calculation, perhaps more so than any where else; it is generally settled between the relations, who often draw up the contract before the parties have seen one another, and it is only when every thing else is arranged, or a few days previous to the marriage ceremony, that the future husband is introduced to his intended partner for life. Should he find fault with her figure or manners, he may break up the match, on condition of defraying the expenses incurred. But this is seldom the case; the principal object, that of interest, being once settled, the bride follows the portion, as a matter of course, and is often scarcely minded. There are in this city, marriage-brokers, who have pocket-books filled with the names of marriageable girls of different classes, with notes descriptive of their figures and their fortunes; these people go about endeavouring to arrange connexions; if they succeed they get a commission of two or three per cent, upon their portions. The contents of their memorandums are often very curious.

'The custom of having a *patito* (such is the modern word substituted for *cisisbeo)* is still prevailing among the Genoese ladies. The patience of those individuals is truly astonishing. They are the humble servants of their fair sovereigns; they accompany them to church, to walk, to their evening parties, to the theatre; they keep them company at home; in short, they follow them as their shadows, and submit to their whims; for which they have, in return, a free access to the house, and a seat at table. Strange as it may appear to foreigners, this custom is, in many cases, nothing more than a matter of ceremony, the remains of a chivalrous feeling of gallantry, or the result of mutual convenience. The lady finds her *patito* to be a very useful person, a *sine qua non,* while her husband, absorbed in his commercial speculations, has little time or patience to attend to her petty concerns. The *patito* in his turn finds her society agreeable, and his courtship is often nothing more to him than the means of killing time; he is generally the friend of the husband, sometimes his partner in business. It happens, therefore, that if a lady has a real intrigue, she must keep it concealed from her *patito* as well as from her husband, and the object of her partiality, *il favorito,* as he is sometimes called, is kept in the back-ground. In the lower classes, and among the peasantry, however, there is no *patito* nor *favorito;* the husbands are jealous of their prerogatives, and their wives are attached to them and submissive.'—Vol. ii. pp. 126—128.

Though the good citizens of Genoa, it would appear, are entirely engrossed by the love of money and money-making, yet they are extremely poor.

'If two or three persons are conversing together, one may be almost sure they are talking of money matters; boys in the streets are making rules of arithmetic, and even the fair sex is by no means deficient in the practical knowledge of that science. Few opportunities of profit, however paltry, are overlooked by a Genoese. It is astonishing upon how little they live; they beat even the economical Florentines in that respect. Their currency is very small, their *lire fuori banco* is worth about eight-pence English; so that the high-sounding sum of thirty thousand *lire*, which is here looked upon as a fortune, is after all, but one thousand pounds. Salaries, profits, marriage portions, every thing is on the same scale. A person in the middling ranks of society, having six thousand *lire*, or two hundred pounds a year, is reckoned rich. It must be said that they live in general but poorly; and although they dress well and keep up a good appearance, yet the interior of their houses often presents the picture of scantiness and stinginess. Their food is very plain, and their meals, except on particular occasions, are remarkably frugal.'—Vol. ii. p. 129.

Under the ancient republic of Genoa, the Patricians seem to have exercised the most uncontrolled oppression over the inferior classes. In suits at law, for instance, "a common citizen had no chance against a nobleman, for, although the courts might condemn the latter, he was generally able to bid defiance to the law." In proof of this he relates a most horrible, and we would fain hope impossible story, of a bailiff serving a writ for debt upon a Genoese nobleman, who immediately seized the unfortunate officer and baked him alive in a heated oven. The name of republic applied to the ancient governments of Genoa, Venice, Lucca, and the other Italian states, must not mislead us with regard to the real meaning of that term. They were crushed beneath the oppressive power of an Aristocratical Oligarchy, by whom, collectively and individually, every sort of injustice and tyranny were practised with impunity. The people possessed no representation and no freedom; their personal liberty, their actions, speech, writings, and press, were under complete restraint, and the system of petty domestic *espionage* that went forward, made them even more intolerable than could have been the tyranny of mightier powers. "The Genoese flag is now free and respected every where; while under their ancient government, they did not dare to lose sight of their native shores, except in well-armed vessels, for fear of being taken by the Barbary corsairs, and carried to Algiers and Tunis, there to end their days in slavery and despair."

'A person who has not visited the coast of Barbary can hardly form a proper idea of the sufferings to which Christian slaves are exposed, and cannot, therefore, appreciate the full value of lord Exmouth's expedition, which put a stop to that abominable practice. While I was at Tunis, there were several hundred slaves at *La Goletta,* or the harbour, where they were employed in the construction of the public works, carrying heavy burthens, exposed all day to the scorching rays of an African sun, covered with rags and vermin, allowed a scanty and bad diet, drinking brackish water, ill-treated, and beaten by their surly keepers; in this manner they passed their days: at sun-set they were huddled together in a sort of barrack, there to lay their weary limbs on a heap of bad straw, breathing in a suffocating and corrupted atmosphere, to rise again with the next sun to fresh torments; year after year passed without bringing any alteration to their condition, and the best part of their life was spent in unavailing regret. The fate of the female slaves was often still more deplorable and dreadful. The mind recoils at the idea of the horrors of their situation.

Under the ancient regime, Tuscany was the happiest district of Italy—and to this day the comfort and opulence of the towns, the beautiful cultivation of the country, and the careless, contented, independent air of the robust peasantry—all bear witness that Tuscany is the mildest and best-governed of the Italian states. But this happy land suffered severely during the six years when it pleased Napoleon to place it under the government of his Spanish queen of Etruria, nor was its condition benefited when he turned her out and placed over it Elisa Baciocchi, his eldest sister, who, with the title of *Grande Duchesse*, ruled over it for the seven succeeding years. She was no more than a tool of her brother's—and

'As such, she cannot, perhaps,' says Mr. Viesseux, 'be made accountable for the arbitrary acts which she enforced in obedience to her imperial relative; but she also displayed a haughtiness and a harshness which disgusted the gentle Florentines. She took frequent opportunities of humbling the nobility, who, in this country, are more unassuming than in other parts of Italy; and many anecdotes are related of her haughty overbearing disposition, by which, as well as by her features, she appears to have resembled her brother Napoleon more than any of her sisters. Abundance of scandalous reports also circulate about the manners of her court. She certainly did not conciliate the minds of the inhabitants, who, at her departure in 1814, gave her unequivocal marks of dislike. Her husband, Baciocchi, originally an Italian, and formerly an officer in the French armies, was a mere cipher, and had no share in the business of government, for which he did not seem calculated, and of which, happily for him, he was not ambitious. He, however, on his being appointed prince of Lucca, was induced to change his christian name of Pascal, which in Italy sounds vulgar, and is subject to ridicule, being often used as synonymous to

that of dunce, into the more dignified one of Felix the First; upon which occasion some Tuscan wit produced the following epigram:—

> Quando tu eri Pasquale, noi eravam tutti Felici;
> Or che tu sei Felice, noi siam tutti Pasquali.

He was a harmless, good natured man, and seems to have understood his own mediocrity: for when the gentlemen of Lucca apologized to him for their possible deficiencies in their new capacity of courtiers, saying they were not accustomed to the situation (Lucca having been until then a republic), he is said to have replied good humouredly, "We will excuse one another mutually, gentlemen, as I am also a novice in my present situation."'—Vol. i. pp. 181—183.

Compared with the old aristocratic governments of Italy, the sway of Buonaparte was beneficent: but, tried by the test of utility and public happiness, his rule was often most despotic and intolerable. Mr. Viesseux certainly writes with sincerity, though not always with wisdom: having been born in France, bred in Italy, and resident in England; having lived in Italy, before, during, and after the French occupation, he is, however, enabled to make comparisons.

'Military habits of the rudest sort, acquired under the sway of Napoleon, while they took away that elegance and suavity of manner for which the Italians were so remarkable, added a grosser load of corruption to their already lax morals, and destroying the principles of religion, removed that salutary check, remorse, which often leads to repentance and amendment. The open gaiety of the Italian character sank under the miseries they suffered; its benevolence was lost. The French introduced their multifarious and complicated system of administration; they established their oppressive inquisitorial police, and the still more oppressive conscription; they loaded the people with taxes unknown before; they sowed discord between the different classes of society; the French, their armies, and their generals, are gone, but the evil effects remain, a sad memorial of their unwelcome visit. And what have the Italians acquired in exchange for peace, happiness, pleasure, and wealth? Alas! nothing: for it had never been the intention of their invaders to establish the unity and independence of Italy.'—Vol. ii. pp. 169—170.

It is true, too, that the French abolished all monastic establishments, but, like all sudden and violent changes, this measure was productive of much immediate evil and misery; and it was executed with the same cruelty and cupidity that characterized all the proceedings of the French in Italy.

'The French suppressed all convents of monks without exception; they seized upon their properties and possessions; they sold them often for one third or one fourth of their value; and both sellers and buyers contrived to make a good business of it. Under the care of the *demanio* (such was the name of this office, which the Italians sometimes called

demonio, i. e. the devil), the greatest dilapidations were committed, and the principal object seemed to be, to make as much ready money as possible. A property belonging once to the Carthusian convent of San Martino, at Naples, and which brought twenty thousand ducats a year, was sold for sixty thousand only. Many of the fine buildings belonging to convents were destroyed, merely for the sake of the iron and timber which they contained. But it would be endless to record the details of the spoliation and plunder which were committed in the name, and for the *welfare,* of the nation. The poor monks, even the aged and the infirm, were granted a miserable pittance barely sufficient to support existence, and irregularly paid. Yet many of these individuals, particularly those of the wealthier orders, were men belonging to the most respectable families of the land, who had given up all their worldly prospects to spend their days in studious retirement; and who, on entering the convent, had brought from their paternal houses considerable sums to be added to the funds of the order.'—Vol. ii. pp. 135—137.

"That the poor and the old who had passed their lives within the peaceful cloister, and given to their convent the little stipend that was to secure support to their latter years, must have suffered severely when thus deprived of their all," there can be no doubt. In the same summary manner the nunneries were suppressed, but however wise might have been their gradual abolition, the cruelty of driving out at once so many secluded and in many cases destitute and unprotected females cannot be defended. " Shall I speak of the inhuman manner in which these helpless females were, in many places, turned out of their peaceful retreats by insolent gendarmes? Young virgins were left unprotected in the middle of that world they had abjured; weak, aged women, who had not, during half a century, been out of the gates of their convents, were now thrust out unable to walk, and their infirmities exposed to the scoffings of an unfeeling rabble." [Vol. ii. p. 137.] With unsparing severity all the secular clergy, who refused to take the oath of allegiance to Napoleon, were consigned to hopeless imprisonment and exile on the barren promontory of Monte Argentaro, or in Corsica. More than five hundred priests were banished there from the Roman states alone, and to our own knowledge numbers were confined in the common prisons on bread and water, and suffered every hardship that a criminal felon could have endured.

' The sufferings of these victims of religious duty, among whom were many venerable by their age, respectable by their virtues, and distinguished by their learning, their patience, and resignation, worthy of the first ages of the church, the brutal treatment they were often subjected to, all these circumstances, although very interesting, are little known out of the country in which they took place. The then ruling powers prevented any notice being taken of them, and the magnitude of the

succeeding events covered all inferior details with oblivion; still the persecution of the clergy of Rome at that epoch, offers many traits worthy the attention of the true philanthropist, whatever be his creed.' —Vol. ii. p. 157.

'The conduct of these ecclesiastics will be censured or applauded, according to the views of those by whom they are judged. This, however, I will observe, that their fidelity to their banished and degraded master, through exile, poverty, and imprisonment, when no hope of the re-establishment of his power could actuate them, has something in it of sincerity and disinterestedness, that would seem to place the reality of these qualities above suspicion, even although their possessors are friars.' —*Rome in the Nineteenth Century.* Vol. iii. p. 201.

So much for the institutions and ministers of religion. With respect to civil justice and policy all commerce was prohibited as a crime punishable with death. Trade was consequently at a stand. Artisans were ruined. The natural produce of the soil rotted, neglected and unused. By the Milan decree of December 17th, 1806, that famous climax of injustice and oppression, all English goods, *imported at antecedent periods, when their importation had been lawful,* were sequestrated. The warehouses and shops of the merchants and shop-keepers were rifled of the goods they had lawfully imported, and honestly paid for, and without *any compensation* to the owners, who were frequently, by the seizure of their stock, reduced in one day from competence and honest industry to beggary and crime, they were piled in the market place and burnt. And this took place from the Po to the Tiber! Men were afterwards publicly executed for importing a few bales of English goods, or holding correspondence of any kind with England! With respect to freedom of thought and discussion, it is well known that the press was under the most complete bondage, reduced to a mere engine of despotism; the restrictions upon writing were carried to the most severe, and often ridiculous height, so that the most harmless, nay, sometimes the most adulatory remarks drew down vengeance on the unwary head of the luckless scribbler. Mr. Viesseux gives an amusing instance of this:—

'The editor of a weekly journal of Milan, called "Il Corriero delle Dame," which was chiefly filled with accounts of the fashions and with light poetical effusions, giving also a brief summary of the news of the week extracted from official journals, happened to insert in one of his numbers the following words:—"The destinies of Etruria appear to be arrived at their maturity." This passage was shown to Napoleon, who, offended that his views should be made known before the time, ordered the editor to be confined in a mad-house. This was executed, and the un-

fortunate editor was very near losing his reason in sober earnest from the company into which he was thus forced.'—Vol. i. pp. 293, 294.

Another ill-fated scribe, Gioja, of Piacenza, although he had previously written a whole book in praise of the French, having published a little pamphlet, laughing at some of the ministers, was instantly banished the kingdom of Italy. Lampredi, a third journalist, having ventured to make some remarks on the *style* of a funeral oration, composed by one of the counsellors of state, was summoned before the police, severely reprimanded, and ordered never, on any account, to presume to criticize the compositions of any member of government. The indignant writer immediately left the kingdom. But it would fill volumes to give any adequate idea of the gigantic yet minute tyranny of the iron rule of the French over Italy. Beneath a despotic and military law—a band of slaves which drained the country of its wealth to support foreign wars—a conscription which tore fathers, and husbands, and sons from the bosoms of their families to perish in distant lands—a domestic dominion of foreigners, ignorant of their language, their laws, their customs, and their prejudices—the Italians beheld property confiscated, commerce prohibited, literature annihilated, arts withering amidst wide-spreading poverty and ruin, and even their proudly-cherished treasures of painting and sculpture transported to other realms, to grace the palaces of their masters! What had they in compensation for these new evils? Better roads and a stricter police! It is quite a mistake to suppose that the French government was liked by the people of Italy. The most determined and bloody, though hopeless resistance to it was manifested from first to last by the peasantry. From the Tyrol to the farthest mountains of Calabria, insurrection, like a hundred-headed hydra, no sooner was put down in one place than it showed itself in another.

'The revolution in Italy did not break out, as in France, by a spontaneous movement of a great mass of people, clamorous and discontented. It was introduced into Italy by French bayonets, and after a struggle of several years; the majority of the people were evidently against it; and even when it triumphed, it did not alter the face of things, the forms of society or the minds of the people, as it had done in France.'—*Italy.* Vol. i. pp. 247, 248.

'Insurrections broke out at Milan, Pavia, Verona, Binasco, and Lugo. The French commanders soon conquered them, and took the most severe, and, perhaps, in their situation, inevitable measures, to prevent a recurrence of them. Binasco and Lugo were pillaged and burnt, and part of the inhabitants put to the sword. At Pavia a number of persons were shot, and others were sent into France as hostages. Meantime Italy was

given up to all the miseries of a conquered country, and at the discretion of an army, which was not checked in its depredations either by discipline, or by any respect for religion.'—Vol. i. pp. 246, 247.

'The peasantry of this district (La Fragola, in Piedmont) are represented to be daring and fierce; they rose *en masse* against the French on the first invasion of their country, as did also the inhabitants of Carmagnola, Mondovi, and of other places in the southern part of Piedmont. The Italian peasantry showed, in general, every where, a great dislike towards the French intruders.'—Vol. ii. pp. 86, 87.

'Carmagnola, a nice little town to the south of Turin, on the right bank of the Po, was taken and burnt by the French. Mondovi, a large place situated farther south at the foot of the Ligurian Appenines, made a longer resistance. The peasantry of the country around, a stout, spirited race, rose, to the number of many thousands, and kept the French at bay for some time; but the Jacobin party in the town, who were in correspondence with the enemy, contrived to distribute to the peasants cartridges made of adulterated powder, so that when they came in contact with the enemy their fire had no effect, and they were easily defeated and massacred. The invaders then entered Mondovi, which they partly set on fire, plundering, ravaging, and murdering in every direction. Such scenes were not rare in Italy at that time; and those nations who have had the good fortune to escape the storm, will hardly credit the account of these horrors. A number of people, however, still live who witnessed them, and who relate them to the disgrace of the perpetrators. The details are too horrid for description.'—Vol. ii. pp. 88, 89.

In the very first year of French occupation, there were "continual insurrections of the Piedmontese peasantry, who hated the French military, and often received from them provocations such as no men can forgive." Two years afterwards "partial insurrections took place among the peasantry, which ended in the sacrifice of the insurgents." "The province of Calabria made an obstinate resistance; and a fierce war was carried on for two years in those wild and mountainous regions, between the French and the Calabrians, which was attended by circumstances of uncommon cruelty and desolation."—Vol. ii. p. 176.

But we have not space to record more of the vain writhings of the worm which was trampled upon. We need not remind our readers of the heroic struggle made by the Tyrolese; nor was the spirit of resistance less determined in many other parts of Italy, though from the less mountainous nature of the country, and the more pacific habits of the people, it was less successful. With respect to the much talked of benefits bestowed by Buonaparte, it would seem that the Italians were singularly ungrateful for them. At Genoa, Ferrara, Venice, Rome—we believe in every town of Italy without exception—the instant the

tidings of the final overthrow of the French was proclaimed, his statues were hurled from their pedestals by the people, and broken into a thousand pieces. Even at Milan, where the French, if any where, ought to have been beloved, for they made it the seat of government, and the centre into which all the wealth of Italy flowed, so obnoxious was their rule, that no sooner was their fall known, than the incensed people collected in front of the house of Prina, the first minister of Eugene Beauharnois (who himself was at Mantua) and having loaded him with insults, murdered him, in a paroxysm of popular fury.

Nor did this vindictive and inhuman murder arise from mere feelings of personal enmity.—" An immense crowd of people of *all ranks* took their station before the palace (where the Senate was assembled), threatening those senators whom they thought favourable to Eugene Beauharnois, as they arrived." At last " they broke into the interior of the palace, dashed to pieces Napoleon's busts, threw the furniture out of the windows, and obliged the senators (all of whom had been appointed by the French, and were suspected of being their creatures) to seek their safety in flight."

The kingdom of Italy, as it was called, had suffered infinitely less than any other part of the Peninsula, from the burden of taxes, and from the conscription. Yet the taxes for one year, and they were afterwards augmented, amounted to the enormous sum of *one hundred and twenty-one millions of livres*—in a country, the whole population of which was scarcely four millions of persons! This was in 1805—the year of Napoleon's celebrated coronation in the Cathedral of Milan, as king of Italy—when " ascending the steps of the altar, and snatching the famous iron crown, which had been brought from Monza for the purpose, he placed it upon his own head, exclaiming, ' Dio me l' ha data—guai! a chi la tocca!' (God has given it to me—Woe to him who shall touch it!) In the same year he established military schools, and forbade his subjects to following their studies out of the kingdom; he ordered the system of military exercises to be introduced into national schools and universities. By another decree, dated 20th of June, he ordered the formation of guards of honour; and obliged the sons, brothers, nephews, and other young relatives of the wealthiest and most notable citizens to enrol themselves in these bodies, forbidding them to put in substitutes. This was a severe blow to the most distinguished families of the kingdom, as these guards of honour, though apparently destined to add to the pomp of the court, were, by the ambition of

the ruler, whom no consideration or principle of equity could restrain, sent to fight in distant countries; and they, the flower of Italian youth, the hope of thousands of families, perished at last, chiefly of cold, hunger, and fatigue, in the disastrous campaign of Russia, with their colonels, Battaglia and Vidman, *all, except five*, who came back to tell their relatives the mournful tale."—Vol. i. p. 285.

But these were nothing to the calamities which the rest of Italy suffered. It was not only the peasantry, and the trading classes that groaned beneath the yoke, but in Piedmont, in the Roman states, and throughout Italy, " the nobility who were attached to their ancient governments, were either arbitrarily deprived of their property, or laid under heavy contributions, to pay which they were obliged to borrow money at exorbitant interest, and to mortgage and sell their estates; in short to submit to all the wrongs imposed on them by their merciless rulers." The whole Peninsula, with the exception of the city of Milan, presented one universal picture of poverty, wretchedness, and ruin. Venice was destroyed, Rome which was not occupied till 1809 by the French, " was reduced to a provincial town. The population decreased by thousands every year, numbers of respectable families were reduced to beggary; the streets at night were haunted with unfortunate persons who had seen better days, and now were begging for bread; the number of people turned out of employment, besides those expelled from the convents, added to the melancholy condition of this unfortunate city. Had this state of things continued much longer, Rome would have been a desert."—Vol. ii. p. 165.

Long will Italy feel the effects of the iron grasp of that giant power which extended to her its arms, promising protection, and then crushed her in his stern embrace; while he mocked her struggles with loud vauntings of the happiness she enjoyed in such a union.

On the whole we can recommend Mr. Viesseux's book as containing a good deal of amusement, and a great deal of information respecting that obscure period of French power, over which the veil of mystery, and the mask of falsehood have been so effectually drawn, that it has become extremely difficult to distinguish its real features. This information is, however, scattered about in the most confused, unsatisfactory, and perplexing manner. With respect to the style, whatever had been its defects, we should of course have abstained from criticising it; but we really think, Mr. Viesseux writes very respectable English for a foreigner.

ART. V. *First, second, third, fourth, fifth and sixth Reports of the Select Committee on Artizans and Machinery. Ordered, by the House of Commons, to be printed.* 1824. pp. 620.

IT is, doubtless, fresh in the recollection of all our readers, that in the early part of last session, a select committee of the House of Commons was appointed to inquire into the state of the laws respecting the combinations of workmen, the emigration of artisans and the exportation of machinery. After a long and laborious examination of witnesses, whose evidence occupies upwards of 600 folio pages, certain resolutions were agreed to by this committee and reported to the House. The purport of these resolutions, as far as relates to the combinations of workmen and the emigration of artisans, was, that the existing laws were mischievous and ought to be repealed. Bills accordingly for their repeal were introduced by Mr. Hume, and passed almost without opposition. With regard to the exportation of machinery, nothing definitive was reported by the Committee. Their resolution was as follows:—

'That your Committee have examined evidence respecting the export of machinery, which will be found in the Appendix; but they are of opinion, that further inquiry, and a more complete investigation should take place, before this important subject can be satisfactorily decided on; and they therefore recommend, that the consideration of this important question should be resumed in the next session of Parliament.'

From what we have seen of our present administration, and from what we have already experienced of the industry and perseverance of Mr. Hume, to whom the public are so largely indebted, we have every reason to hope that this recommendation will be followed. In one respect, however, we differ from the Committee. It appears to us, after a most attentive perusal of their various reports, that the examination of any additional witnesses would be a mere waste of time. Witnesses in abundance have been examined, and all the evidence which the subject admits of has been collected—in other words, the materials for consideration have been brought together: it remains only to consider, and to legislate as consideration shall direct.

As the law now stands, the exportation of certain articles of machinery is prohibited, of certain other articles the exportation is permitted. The evidence of Mr. Place and other intelligent witnesses establishes, incontrovertibly, that it is impossible to define what is prohibited and what is not prohibited, with such accuracy as to enable a Custom-house officer to distinguish one from another. Mr. Place showed in what manner

the law was continually infringed; and Mr. Boyd, Mr. Willimott, Mr. Hume, and Mr. St. John, gentlemen high in the Customs, admitted that the law was almost inoperative. But this quality of the law, this ground for its repeal is one of minor importance. Our object will be to ascertain, whether the principle ought to be admitted upon which it is demanded, that the exportation of machinery should be prohibited.

The argument mainly relied upon by the witnesses in favour of the existing law and of its more rigorous enforcement was, that it would be injurious to our own manufactures to supply foreign countries with the means of underselling us abroad. This argument was repeated by Mr. Harrison, Mr. Yates, Mr. Harvey, Mr. Osler, Mr. Brunton, Mr. Dunlop and others; it was not used in favour of one species of manufacture alone, but of all; not of cotton, or of silk, or of wool, but of all together. The end in view among these gentlemen appears to be, that we should be the only manufacturing nation upon the earth, and that our imports should consist entirely of raw produce. The object of the country gentlemen, on the other hand, is to make us an agricultural nation; to prohibit, as far as possible, the importation of raw produce. Between the two, our foreign trade would be confined to the import of such raw produce as we cannot raise at home, and an exportation of manufactures sufficient to pay for the raw produce imported. Each class applies itself exclusively to the consideration of the means by which its own employment may be extended, forgetting that the only inquiry, which can lead to any generally useful result is, by what means the consumption of the greatest quantity of commodities, both manufactured and agricultural, may be secured to the community.

The doctrine of free trade is now becoming so popular, and the principles upon which it rests, are so universally admitted by all who have no particular interest at stake, that some, perhaps, would be tempted to pass sentence at once upon the doctrines which we have noticed, without further ceremony. But we should not consider ourselves sincere friends to the cause of freedom of trade, were we not willing to meet every individual objection, and to examine every case in favour of which a suspension of the general principle is demanded. The exportation of machinery is one of these cases. The question, then, to be resolved is, whether the same reasons do not exist for permitting foreigners to purchase our machinery as exist for permitting them to purchase any of our other commodities.

The benefit which is derived from foreign commerce, is to be found in the commodities imported. No proof can be required

in support of so self-evident a proposition. The exports, except so far as they are followed by imports in return, are pure loss. If we could obtain our imported commodities for nothing, we should be enabled to consume not only what we imported, but what we previously produced at home in order to pay for what we imported. To justify any attempt, therefore, to prohibit the exportation of machinery, it is necessary to show, not that our exports but that our imports would be increased in consequence of such a prohibition. A falling-off in our exports while our imports remained undiminished would be a good instead of an evil. We shall proceed accordingly to inquire, whether the tendency of the use of machinery abroad is, to occasion a diminution of the imported commodities.

It being established, that the end of foreign trade is to be found in the commodities imported, it follows, that the only reason why any country exports at all, is because by so doing, a larger quantity of certain desired commodities may be procured than could be procured by any other means. If 100 days' labour in England will produce 1,000 yards of silk, and 2,000 yards of cotton, and if in France 100 days' labour will produce 2,000 yards of silk, but only 1,000 yards of cotton; it is for the advantage of both countries, that the cotton of England should be exchanged for the silk of France. If, under such circumstances, by some lucky invention, of the steam-engine for instance, 2,000 yards of silk and 4,000 yards of cotton could be produced by 100 days' labour in England, while in France only 2,000 yards of silk and 1,000 yards of cotton could be produced, as before, it would still be for the interest of both countries, that the cotton of England should be exchanged for the silk of France. The manufacturers of the two countries, by confining themselves respectively to the manufacture in which they excelled, might produce 4,000 yards of silk and 8,000 yards of cotton, but if in a fit of spleen and jealousy they mutually determined to deny themselves the benefit of commercial intercourse, the total produce of the two countries would only be 4,000 yards of silk and 5,000 yards of cotton; the loss to be divided between the two countries being 3,000 yards of cotton or 1,500 each. The invention of the steam-engine by the English, could be no reasonable ground for the French to cut off commercial intercourse with them; so far from being to the French a subject of complaint, it ought to be a subject of rejoicing. After the invention, they procure in exchange for their silk a larger quantity of cotton than they could before. But, let us suppose, that the French should avail themselves of the services of this powerful engine, which we assume to be equally effectual in the manufacture of both silk

and cotton, would the English be sufferers? Quite the contrary; the French, with the assistance of the engine, might produce 4,000 yards of silk and 2,000 yards of cotton, the English 4,000 yards of cotton and 2,000 yards of silk; or, if each nation confined itself to the manufacture in which it surpassed the other, their joint produce would be 8,000 yards of cotton and 8,000 yards of silk. The English would thus have for their consumption 4,000 yards of cotton and 4,000 yards of silk.* Before the steam-engine was introduced into France, they could not obtain much more than 2,000 yards of silk, they may now obtain 4,000. Thus we see that the wealth of the English is increased by every increase in the powers of production, which they can introduce among their neighbours.

Where a foreign country furnishes us with commodities, the production of which would be impracticable in our own country, the jealousy of their obtaining the means of producing such commodities at a diminished cost, does not appear to exist, or at all events, not to the same extent. The Indies, for instance, furnish us with sugar, coffee, cotton, dyes and other articles, which by the nature of our soil we are precluded from raising at home. We pay for these articles in manufactured commodities. No person appears to object to our obtaining, in exchange for a given quantity of manufactures, a double quantity of sugar, &c., nor to our furnishing the inhabitants of the Indies with the means of increasing our supplies of those commodities. And yet the reasons which exist for increasing the import of sugar and of French silk are precisely the same. In one commodity, the saving of labour may be said to be indefinite, in the other it admits of being measured. But surely, while we permit ourselves one enjoyment, and show our willingness to make no small sacrifices rather than forego it, it cannot be esteemed a sign either of consistency or of wisdom, to deprive ourselves of another of the same species, or wilfully to add to the difficulty and expense of obtaining it.

The principal device by which the prohibitory law against the exportation of machinery has been supported, consists in representing two countries not as mutual benefactors, but as dangerous rivals. To give some colouring to this representation, a third country is introduced, which is supposed to be the scene of the competition of the other two rival nations. Thus, if England and France, instead of trading exclusively

* The deduction necessary to cover the expenses of conveyance from one country to the other, has been purposely omitted, in order not to incumber the argument. This omission can easily be supplied by the reader if he pleases.

with one another, trade likewise with South America, their mutual relation is supposed to be changed. It is supposed no longer to be their common interest, that their powers of production should be respectively increased, but that it is the interest of each of them to obstruct its neighbour in the career of improvement. The truth of this assumption is well worth a separate examination.

Let us suppose, as before, that 100 days' labour in England will produce 2,000 yards of cotton and 1,000 yards of silk, and that 100 days' labour in France will produce 2,000 yards of silk and 1,000 yards of cotton, and that both countries trade with the Brazils, where one cwt. of sugar will exchange for one yard either of cotton or silk. It is evidently the interest of both France and England, that England should produce cotton, and France silk, as a means of obtaining sugar. If, with the assistance of the steam-engine, 100 days' labour in England can be made to produce 4,000 yards of cotton and 2,000 yards of silk, while 100 days' labour in France continue to produce only 2,000 yards of silk and 1,000 yards of cotton, it is still the interest of England to purchase French silk to export to the Brazils, and it is the interest of France to purchase English cotton for the same purpose. Surely then it is desirable for the English that the French should, by means of the steam-engine, be able to furnish them with an increased supply of silk in exchange for their cottons. If the demand of the Brazilians should be for silk, have not the English, after the French have adopted the use of the steam-engine, the means of procuring twice as much silk as they could before, with which to purchase sugar? And if the demand of the Brazilians should be for cotton, will not the French give a double quantity of silk in exchange for the cotton which they need, in order to purchase sugar? The English want sugar,* and the French want sugar, and unless one nation should have the power of interdicting the other from all communication with the sugar country, it is idle to suppose that the sugar will not be purchased with something. As long as the French import sugar, they must export to pay for it, either in home-manufactures, or in the manufactures of other countries which they have previously purchased with some species of the produce of their own industry. The interdiction

* It is worthy of remark that, while we are anxious to monopolize to ourselves the supply of South America with manufactured goods, the consumption of two of their principal commodities, sugar and coffee, is virtually prohibited. We will not purchase of the Brazilians two of their exportable products, and when they dispose of them to others, we are vexed that foreigners should *undersell* us!!

of the exportation of all machinery could not prevent the French from competing with us successfully, from *underselling* us in some commodity.

A difference in the *relative* facility of production is essential to interchange. The farmer in Essex, and the clothier in Yorkshire exchange with one another, because one can produce grain and the other cloth with comparative facility. The European and the Indian are guided by the same motives in making their exchanges; and if prejudice were laid aside and prohibitions repealed, the same mutual interest would attract the Englishman and Frenchman towards one another. Not only would the whole commercial world be benefitted by an increase in the *general* power of production, but the advantages resulting from such an increased power in *one* country would be generally diffused. Each country has an interest in the general prosperity of which it cannot fail to obtain a share. If the arguments, in favour of prohibitory regulations, had been advanced by one class of manufacturers, or by each class in favour of themselves alone, they would at least have had the benefit of some appearance of consistency. It would evidently be their wish that the public interest should be sacrificed to theirs. If a tradesman, or any body of tradesmen, should endeavour to obtain some restrictive regulation in favour of themselves exclusively, we can understand what it is they would accomplish; but they can derive no advantage from the general application of prohibitory laws. Their private advantage as monopolists, under such circumstances, would be more than compensated by their share of the public loss. That a particular trade or corporation should wish the public interest to be sacrificed to theirs, is not at all wonderful. But how can we account for their demanding that their own interest should be sacrificed in turn to each particular trade, of which the whole community is composed? Against people acting and arguing after this fashion, we must either give a verdict of insanity or of *felo de se*. In like manner, we can understand that any particular class of manufacturers, whether in cotton, in silk, in woollen, in linen, or in hardware, might wish to impose upon the legislature, and make them believe that whatever was conducive to their own individual prosperity, must necessarily be most beneficial to the public. We can understand that a cotton manufacturer might hope, however fallaciously, by destroying a foreign rival in his own line, to procure a larger quantity of silk, linen, and hardware in exchange for his cotton; and that the silk, linen, and hardware manufacturers should each have a similar object in view. But that they should *jointly* seek to deprive

themselves of foreign commerce altogether appears somewhat paradoxical.

No pains were spared by some of the witnesses to persuade the committee, if possible, to preserve to them their darling laws. Statements were made as remarkable for their relevancy as the deductions which were drawn from them were remarkable for the closeness of their connexion. Wages, it was stated by many of the witnesses, are lower on the continent, especially in that hostile country, France, than they are here, and therefore our manufactures ought to be "protected." But so ought agriculture to be "protected"—that is every thing—the community, in short, ought to be "protected." The point precisely at which we are aiming—the point at which every public writer ought to aim. We wish the public to enjoy "protection," if that must be the phraseology—we wish the community to enjoy happiness; and, as one of the means towards this happiness, we wish that individuals should not be prevented from making their labour as productive as possible. If England exports ten commodities to France, for which France in return exports ten other commodities to England, it is immaterial to England, whether wages in France are high or low, whether the labourers dwell in palaces or in hovels. Whatever may be the rate of wages, the inducement to interchange remains the same. There are ten commodities which France, and ten which England can produce with *comparative* facility. It is the interest, accordingly, of the two countries to exchange; and they do so.

Admitting the wages of labour to be lower in France than in England, no argument against the principle of free trade can be drawn from this source. Wages in Ireland are well known to be lower than they are in England. But is the commercial intercourse between the two countries less beneficial on this account? The Irish import our woollens, wonderful as it may appear, although the labourer in Ireland is not half so well paid as the labourer in England! The lowness of wages does not apply to one commodity exclusively—it applies to all. A curious state of things it would be, truly, if a country, where wages are low, should take a fancy to supply its neighbours gratuitously with the commodities which they wanted. Until it do this, however, there will be foreign trade, whatever may be the rate of wages, unless all commercial intercourse be interdicted.

It has been remarked by a profound observer of human nature, that when men are under the influence of fear they are continually involving themselves in the very danger at which they are alarmed. The English are afraid that their commerce will

be injured by foreigners. They are frightened at sounds. The being "undersold" by a foreigner appears to them little less than absolute ruin; and the "competition" of a foreigner is counted amongst the most grievous of calamities. A builder might as well be alarmed lest the baker should deal with the butcher on more favourable terms than himself, and turn to bake his own bread, leaving the baker to build his own oven. To crown the piece, it would only remain for the butcher to shut his door upon both of them, and monopolize to himself the pleasures of house-repairing and bread-baking. To be anxious to enjoy the benefit of foreign trade, and at the same time to be jealous because foreigners are skilful and industrious, and actually to strive hard to make them less so, it must be allowed, is not a little extravagant. A nation which desires to import largely, and carefully conceals from other nations the best and easiest mode of furnishing it with importable commodities, may not inaptly be compared to a man in possession of a mine, who knows in what direction the richest vein lies, but conceals this knowledge from his workmen, and leaves them to toil and struggle with difficulties of his own contriving; or, to a man in a state of starvation, who goes to market and quarrels with the tradesman who is ready to serve him with good and cheap victuals.

We have said enough to satisfy every body who is even but slightly acquainted with the reasoning by which the doctrine of free trade is supported, that the exportation of machinery ought not to be prohibited; as the use of machinery abroad must tend rather to increase than to diminish the national wealth. It is to be hoped, that nothing additional need be said in order to convince the majority of the manufacturers. There are some among them, however, those particularly who gave evidence before the committee, of whom, perhaps, it would be unreasonable to form such an expectation. To them we will address a few further observations.

If foreigners obtain their machinery from us, according to your own notions, they will labour under some disadvantage, since the price of it will be enhanced by the cost of carriage. In France, more especially, the country in which the danger of competition is supposed to be the greatest, the manufacture of "national" machinery is protected by an enormous duty. Is not this enough to satisfy you? One of your body, Mr. Dunlop, who appeared to speak the sentiments of a meeting of master spinners in Renfrewshire, when asked, "Why should you object to calico printing presses, when you would permit coining presses (to be exported)?" Replied, "I mentioned to them (the

meeting) coining presses, and they said, certainly, let them have as many coining presses as they have a mind to; *we shall have no objection to take their dollars*"—p. 472.

The master spinners are perfectly right. It is good for them that dollars should be coined at a cheap rate, because then a larger number of them will be given for a case of calico. The exportation of machinery, then, to South America, for the benefit of the manufacturers themselves, ought not to be prohibited. As we have already observed, any attempt to prohibit the exportation of certain sorts of machinery, while that of others is permitted, must be futile, and can only act as an incentive to subterfuge and false swearing. Now, may not some of this machinery, if allowed to be exported to one part of the world, find its way to another! We heard, the other day, of a merchant who, wishing to import some Senegal gum from Havre de Grace, was obliged, owing to the interposition of a wise legislation, first to send it to New York, from whence he is permitted to trans-ship it to England. If a machine is allowed to be exported to South America, may not some merchant, alive to all the means by which profit is to be obtained, export one to France via Chili and Peru. We find it difficult to be serious. But to conclude. Swedish and Russian iron may be procured in all parts of the continent, while, in this country, it has been till lately prohibited by a heavy duty. Iron is the principal material of which machinery is made. Our artizans are now at liberty to go abroad in any numbers. Consequently, foreigners can, without any extraordinary difficulty, make their own machinery. If, then, machinery will be set in motion abroad, the best course, at all events, for this country to pursue, is not to hinder its own capitalists from making it. If the use of machinery in foreign manufactories is to be the destruction of any of our "staple" manufactures, it cannot be deemed unwise in us to diminish our loss by turning to the manufacture of the machinery itself.

ART. VI. *A Letter on the Present State and Future Prospects of Agriculture. Addressed to the Agriculturists of the County of Salop.* By W. W. WHITMORE, ESQ. M. P. Second Edition, with some Additions. Hatchard and Son. 1823. pp. 111.

Observations on the Existing Corn Laws. By JOHN HAYS. London. Richardson. 1824.

IF the task of the philosopher and of the philanthropist were at an end, when the great truths which he teaches have been once demonstrated, and their bearings upon the great

interests of mankind once pointed out, it might appear superfluous to return, at the present day, to so hackneyed a subject as the impolicy of our Corn Laws; for, after the thorough sifting which this question has repeatedly undergone, and particularly after the very able manner in which it has so frequently been handled in the Edinburgh Review, it would be vain for us to hope that we could add any thing to what is known on the subject; and we can scarcely aspire even to the humbler praise of presenting in a new light that which is already known. We shall not, however, be deterred from calling the attention of the public once more to so important a subject, because it may be that we shall say nothing which they have not heard before. It is not enough that they should be made to think on the subject; they must be made to think of it continually; there must be "line upon line, and precept upon precept;" and it will then be time to think that enough has been said, when that which *has* been said shall have begun to be acted upon. We are far, indeed, from supposing, that among the enlightened and thinking part of the public, there are, or will ever be hereafter, two opinions on the question: and if we now revert to the subject, it is not with any hope of rendering *their* conviction stronger than it is, but because, in order to triumph over the prejudices of the interested and the ignorant, it is necessary that those who are without prejudice should proclaim their opinions with a loudness and perseverance which may overawe those whom they cannot hope to convince.

There is one part of the argument, however, which, at this time of day, we hope and believe that we may safely omit. It will scarcely, we imagine, be any longer deemed necessary to demonstrate the beneficial tendency of free trade in general, or to prove that it is for the interest of a nation to purchase its commodities where they are cheap, and not where they are dear. Self-evident as this proposition may appear, it is one of the most modern of all modern discoveries, and has had to make its way against all the resistance which strong interests and still stronger prejudices could oppose to it. It *has* made its way, however; and has penetrated even to the cabinets of ministers, usually the last retreat of thread-bare and discarded errors. And, unless the honourable member for Sussex be an exception,* we are not aware that there is now any one who

* See Morning Chronicle for May 22nd, 1824—"In this measure" (the bill for permitting the exportation of wool) "and in the consequences it was calculated to produce, he (Mr. Curteis) saw the first fruits of the new philosophy of free trade, at the shrine of which they were all called upon to bow down and worship, but to which he was determined to offer no incense."

stands up for the principle of monopoly in the abstract, or maintains that a nation can grow rich by paying a high price for its goods. It is something gained for enlightened principles, that every one should acknowledge freedom to be the general rule, though almost every one should make an exception in his own favour.

Two things, therefore, may be assumed: that it is desirable that commodities should be cheap; and that the sure way to have them cheapest, is to let the public buy them wherever they please. It may likewise be assumed, that the effect of the Corn Laws is, to make corn dear; since this is the sole purpose for which they exist, and is necessarily implied in every defence which can be set up for them. It remains to be considered, what reason there is why that which would be an evil in the case of any other commodities, should, in the case of corn, be regarded as a good; or, if it be an evil, by what preponderant benefit the evil is compensated.

It is compensated by that which, in the eyes of the landlords, is a benefit far outweighing the evil to the community—high rents. That whatever raises the average price of corn, raises rent, is a proposition so conformable to ordinary ideas, that we are under no inducement to spend much time in proving it. A rise in the price of corn must evidently redound to the benefit either of the farmer or of the landlord. But the farmer is effectually prevented, by the competition of other capitalists, from obtaining more than the ordinary profits of stock. The benefit, therefore, of the increase of price can belong to nobody but the landlord. Or, more shortly, rent is all that portion of the produce of the soil which remains after replacing the capital expended, together with the ordinary profit: and this surplus must obviously be greater when corn is dear (the quantity of corn being the same) than when it is cheap.

So far, then, the question, between the people on the one side and the landlords on the other, would appear to be this—whether it is better that the landlords should submit to a reduction of rent, or that the whole people of Great Britain should pay a high price for their corn: whether, in short, the landlords can make out a case for taxing the community to put money into their pockets? And this, as being the aspect of the question most favourable to the landlords, is that which we shall first consider.

The language which we usually hear from the landlords on this question is not remarkably definite or precise, and presents little that is tangible in the form of a reason why their interest should be preferred to that of the public at large. Instead of

proving (what their language implies) that rich landlords are more conducive to the happiness of the community than cheap corn, they talk vaguely about the necessity of protecting agriculture: thus endeavouring to make the public forget that this idol called agriculture, when narrowly inspected, proves to be no other than themselves. This artifice of identifying themselves with an abstract term is not without example. When the Roman Catholic priesthood attempted to establish their supremacy over the civil power, they said it was for the good of religion: it was for the good of nobody but themselves. If Ferdinand the 7th is to be believed, it is for the sake of social order that he is now labouring to clear his country of all the educated part of its inhabitants: and indeed so it is in his sense of the word, which makes social order synonymous with his own despotism. It might, perhaps, be admitted, that the Corn Laws are beneficial to the landlords, but in what sense they can be said to be beneficial to agriculture, unless the landlords be agriculture, it is not easy to see. The artifice, however, is not without its use: "Protect agriculture," has a better sound than "Give me your purse:" and many a man will readily do for the "protection of agriculture," that which he would have hesitated to do for the mere purpose of enriching the landlords.

There is a fallacy involved in the phrase "protection to agriculture," which it is of the utmost importance that the public should fully understand. Under the words "agriculture," and "agricultural interest," are included not only the landlords, but the farmers, a class whose gains are of an entirely different nature from those of the landlords, and are governed by different laws. The exclusion of foreign corn may be, and probably is, beneficial to the landlords, though, we think, not to so great an extent as has been supposed. But so far is it from being beneficial to the farmers, that there is no class to whom it is more, and few to whom it is equally, injurious. Not only is the interest of the farmers not the same with that of the landlords, but no two interests are more diametrically opposite.

There is no fact in political economy better established than the tendency of every tax on the necessaries of life, to produce a rise of wages. We do not mean that it adds any thing to the comforts and enjoyments of the labourer; on the contrary, its ultimate effect is almost infallibly to diminish them, since by reducing the rate of profit, it retards the accumulation of capital, on which the demand for labour wholly depends. The labourer, however, is not benefited, and the capitalist is injured; the labourer continues to receive the same quantity of commodities, or, as it has been sometimes called, the same *real wages*

as before; for the tax, though it affects the future accumulation of capital, does not alter its present amount, and it is upon the present amount of capital (as compared with population), and not upon its future accumulation, that wages depend. While, however, the labourer continues to receive the same quantity of necessaries as before, corn (the most important of those commodities) has risen in value. He must, therefore, receive a greater *value,* in order to command the same quantity: his money wages must rise. The manufacturers and other capitalists are thus compelled to give a greater value to their labourers, without having a greater value for themselves. They are, therefore, obliged to forego a portion of their profits. And thus we see that a high price of corn, which is a cause of high rent, is a cause of low profits. It is as prejudicial to the capitalist as it is beneficial to the landlord.

The farmer, however, is a capitalist, and his gains cannot be permanently greater than those of other capitalists. Unless during the currency of a lease, he has no interest whatever in high prices, because competition will effectually prevent him from deriving more than a very temporary advantage from them. He has, however, in common with all other capitalists, a very strong interest in high profits; and it is not possible that profits should be high when a great value is given to the labourers.

A high price of corn, therefore, not only is not beneficial to the farmer as such, but it is positively injurious to him. He is injured in two ways: first, as a consumer of corn, in common with the rest of the community, by having to consume a dear instead of a cheap commodity; and, secondly, he is injured, in a still greater degree, as an owner of capital, by being compelled to give higher wages to all the labourers whom he employs.

Having proved the Corn Laws to be injurious to all the rest of the community, and beneficial to the landlord alone, we might here close our remarks, since this alone, had we nothing else to urge, is of itself sufficient to decide the question. For if, in any case, the principle could be admitted of taxing the whole community for the benefit of a particular class, the landlords assuredly are not that class. To the public, collectively speaking, it is of very little consequence whether rent be high or low. But it is of the greatest importance to the public in general, that profits should be high. Profits are the reward of the industrious—rent, of the idle. It is the rate of profits which constitutes the inducement to accumulation, and, whatever be the advantage of a rapid accumulation, the advantage of high

profits is the same. But it is on the accumulation of capital that the advancement of the national wealth is wholly dependant. A policy, therefore, which consists in lowering profits for the purpose of raising rents, must be, at best, of very doubtful expediency.

If, however, there were nothing in the whole process but a transfer; if whatever is lost by the consumer and by the capitalist were gained by the landlord; there might be robbery, but there would not be waste; there might be a worse distribution of the national wealth, but there would be no positive diminution of its aggregate amount. The evil of the Corn Laws admits not even of this alleviation: they occasion in all cases an absolute loss, greatly exceeding the gain which can be derived from them by the receivers of rent; and for every pound which finds its way into the pockets of the landlords, in consequence of the Corn Laws, the community is robbed of several.

Rent, it must be remembered, is only a part of the total produce of the soil, on many lands only a small part. There are some lands which yield no rent; there are many which yield very little; and even on the best of all, the rent, probably, does not greatly exceed one half of the produce.

Now, without disputing that it is the effect of the Corn Laws to give to the landlord a greater quantity of corn, as well as to enhance its value, it must be remembered that all which he receives is still no more than a part; another part is appropriated to the payment of labourers, a third to the maintenance of agricultural cattle and the purchase and repair of instruments of husbandry, a fourth is reserved for seed, and a fifth belongs to the capitalist as his profit. The increase in the cost of the production of corn, which is the consequence of the Corn Laws, operates to the benefit of the landlord only in so far as it goes to enhance the value of that portion of the produce which he receives as rent. Could all the rest of the produce retain its former value, and that portion alone rise which is paid to the landlord, the gain to him would exactly equal the loss to the rest of the community. While, however, it is only from the rise in the value of a *portion* of the produce, that the landlord derives any benefit, it is necessary, in order to the rise of that portion, that the *whole* should rise. It is necessary that an increased price should be paid, not only for that portion of the produce which goes to the payment of rent, but also for that far greater portion which goes to replace the capital, and pay the profits, of the farmer.

The able author of the article "Corn Laws and Trade," in the Supplement to the Encyclopædia Britannica, estimates the

total rent of all the land in the country, compared with the total produce, at one-fifth. Let us make a liberal concession to our antagonists, and take it at one-third. In order then that the landlord may obtain an extra price for a single third of the produce; the purchasers, not only of that third, but of the other two-thirds, are compelled to pay that extra price, for every quarter of corn which they consume!

What, then, it may be asked, becomes of the extra price, which is paid by the consumers of the two-thirds? It does not go to the labourer; for though he receives a greater value, his condition not only is not improved, but, in most cases, it is ultimately deteriorated. It does not go to the farmer; for he, as we have seen, instead of gaining any thing, suffers, in two ways; as a consumer of corn, and as a payer of wages. What, then, becomes of it? We answer, it is entirely swallowed up in the increased expenses of cultivation. By the effect of the Corn Laws, a portion of the labour and capital of the country is diverted out of a more into a less advantageous employment: a quantity of labour is employed in growing corn, which would otherwise have produced, not only cloth, or hardware, sufficient to purchase the same quantity of corn in the foreign market, but much more. That corn which could be obtained abroad, in exchange for the produce of the labour of 100 men, is compelled to be produced at home, by that of 120, 130, or 140; the labour of 20, 30, or 40 men in every 100 is expended in pure waste, and all which they might have produced is entirely lost to the community. The consumer is taxed, not only to give a higher rent to the landlord, but to indemnify the farmer for producing, at a great expense, that corn which might be obtained from abroad at a comparatively small one.

If the landlords were to require, that the whole people of Great Britain should contribute a certain sum annually in direct taxes for their benefit, who is there that would not raise his voice against so impudent a demand? Yet this would surely be a much more modest request, than that, in order to put a certain annual number of pounds sterling into their pockets, the people of Great Britain should consent to pay three, four, or five times as many.

We seriously propose, therefore, as a great improvement on the present system, that this indirect tax should be commuted for a direct one; which, if it still gave an undue advantage to the landlords, would, at least, give them this advantage at a smaller cost to the public: or that the landlords should make an estimate of their probable losses from the repeal of the Corn Laws, and found upon it a claim to compensation. Some,

indeed, may question how far they who, for their own emolument, imposed one of the worst of taxes upon their countrymen, are entitled to compensation for renouncing advantages which they never ought to have enjoyed. It would be better, however, to have a repeal of the Corn Laws, even clogged by a compensation, than not to have it at all; and if this were our only alternative, no one could complain of a change, by which, though an enormous amount of evil would be prevented, no one would lose.

We have hitherto taken it for granted, that the effect of the Corn Laws is, to force the cultivation of inferior soils; and that, therefore, if those laws were repealed, we should become a regularly importing country, our lowest soils would be thrown out of cultivation, and the cost of production, and consequently, the average price, would be lowered. We have assumed this, because we believe it to be true; although the contrary opinion is maintained in a very able article in the eighty-first number of the Edinburgh Review.

Though it were conceded to the Edinburgh Reviewer, that if the ports were constantly open, the average price of wheat would not fall short of 60*s*. per quarter; arguments enough would remain, to prove the mischievousness of the Corn Laws, and the necessity of their repeal; a measure which, in that case, no one would have more reason for promoting than the landlords, since they would gain all the advantage of a steady price, without incurring the disadvantage of a low one. Great, however, as the benefit to the community would be, even though the average price of corn should remain unchanged; we are convinced that this is not the whole of the benefit of which the repeal of the Corn Laws would be productive, and that the price would not be steadier only, but lower, under a free trade.

It is admitted by the Edinburgh Reviewer, that when there is no direct foreign demand, a quarter of wheat can, in ordinary years, be put on ship board at Dantzic for 35*s*.; and that allowing 8*s*. per quarter for the expenses of freighting, warehousing, &c. the price to the importer would be about 43*s*. They suppose, however, that a regular demand from this country would raise the ordinary price in the Dantzic market, from 35*s*. to 50*s*. which together with the freight and other expenses, would give in this country, a price of about 58*s*. per quarter.

The assumption, that a regular demand from this country would permanently raise the price at Dantzic from 35*s*. to 50*s*., is wholly founded upon the evidence of Mr. Solly, before the Agricultural Committee of 1821. This gentle-

man's evidence is a strange mixture of hypothesis and fact. For matters of fact, coming within the compass of his experience, Mr. Solly's evidence may be as good as any other; and we have the less reason to doubt the credibility of his testimony, as it is entirely in accordance with the most authentic information which we have been able to procure from other sources. But the rise in price which is expected to be the consequence of a regular exportation, is plainly not a fact, but an inference. The same person may deserve great credit for his facts, and very little for his inferences; and, at any rate, no man's inferences are entitled to be received, like matters of fact, upon his authority. How far Mr. Solly is qualified to draw correct inferences on subjects similar to the present, the following extract from his evidence may help us to judge:

"If the English ports were open for the free importation of corn, at this moment, what rise do you think would take place in the price of wheat in the Prussian ports? I should think about 15*s*.

"Which would make the price in the Prussian ports how much? On board, 50*s*. for the best wheat; they would make their calculation on obtaining 60*s*. here for it."

We can easily conceive, that a sudden demand, before there is time to raise a corresponding supply, may raise the price at Dantzic 15*s*. per quarter, or much more; but what follows?

"Supposing the ports to be *constantly* open for the free importation of corn, do you think the price abroad, on the average, would be above or below 50*s*. in the Prussian ports? *It would be regulated by the price in England.*

"What is your opinion of the effect which the demand under such circumstances would have upon the price in those ports? I think that the price would rise about 15*s*. as already mentioned.

"Although the demand should be permanent? *Even then, the price would be regulated by the price here.*"

This is true of the *market* price, but certainly not true of the *average*. The market price at any given moment in Poland, would doubtless be regulated by the market price in this country, because it is the price here, which by determining the exportation, would regulate the supply in the market of Poland itself; but to suppose that the *average price* in Poland—which is of most consequence to the producer—would be regulated by the price here, or by any thing whatever except the cost of production, implies an ignorance of the most obvious principles of political economy. On the average, and making abstraction from the temporary fluctuations of the market, it is

the price in Poland, which would regulate the price here; not the price here which would regulate the price in Poland. The average price in Poland, with the expenses of importation, and the profits of the importer, would determine the average price, at which wheat could be sold in the English market. The mere unsupported conjecture of one who is ignorant of this very obvious truth, is a very slight foundation for such a conclusion as the Edinburgh Reviewer has founded upon it.

Before it can be admitted, that the repeal of our Corn Laws would raise the average price of wheat at Dantzic from 35*s.* to 50*s.*; it is necessary for Mr. Solly to prove, that the cost of production would be increased in that proportion. The only cause (taxation apart) which can raise the cost of production, is the necessity of cultivating inferior lands, or of applying capital with diminished return to those which are already in cultivation. And on this, as a necessary effect of an increase of demand, Mr. Solly lays great stress. "They want their land," he says, "for the cultivation of corn, for cattle, and fuel for their own inhabitants. They have in Prussia about eleven millions of inhabitants; and it contains sixty-seven millions of English acres, or five thousand square miles; and they require almost all the arable land to grow corn for their own inhabitants; the principal corn that is grown and consumed, is rye; and I question, if they had to supply England with wheat corn, it would be in their power; they have not the soil, and I do not think they would be able to increase the quantity of wheat to any great amount in Prussia."

This he afterwards accounts for, from the nature of the soil, which he states to be for the most part sandy, and unfit for wheat. That this may be the case in those districts of Prussia, with which Mr. Solly is acquainted, we have no reason to doubt: that it is not the case in the great corn districts of Poland, we have the best possible authority for asserting. All competent witnesses agree in declaring, that so far from needing all their arable land to raise corn for their own consumption, the Polish cultivators have been reduced to the extremity of distress in the last few years, by the cessation of foreign demand. We are informed by Mr. Behrend, of the house of Almonde and Behrend, great corn merchants at Dantzic, that fully one-third of the fertile corn lands are entirely waste, that great tracts of land, admirably fitted for wheat, have been thrown into pasture, merely for want of a market, and that great quantities of corn are consumed by cattle, and in various other ways among the cultivators themselves, which, on the opening of our ports, would be brought to market immediately. So great an effect

does Mr. Behrend ascribe to this last circumstance, that Poland, in his opinion, could export three times as much wheat as at present, without raising one bushel more than is already produced (it is true, that her exports have of late years been comparatively small); and if to this we add the great quantity of wheat which could be raised on the excellent lands which are now in pasturage, or entirely waste, Mr. Behrend is of opinion, that Poland could supply this country with from 200,000 to 300,000 quarters of wheat, without any material advance of price, beyond that which is a remunerating price to the Polish cultivator at present, viz. 35*s.* in the greater part of Poland, and 38*s.* in Volkynia, from which province the best Polish wheat is chiefly drawn.* Now, if it be considered from how large a surface we should draw our foreign supplies, if we became a regularly importing country, it can hardly be supposed that we should, in ordinary years, import from Poland a greater quantity than 200,000 or 300,000 quarters; say 400,000, and suppose the last 100,000 to raise the price from 35*s.*, or 38*s.* to 40*s.*, or even 42*s.*, which is an ample allowance; adding 8*s.* for freight and other expenses, this will give 50*s.* for the probable average price of wheat in this country, if importation were permitted at all times, duty free.

With regard to Odessa, the facts adduced by the Reviewer are singularly scanty. The following passage contains all that he says on the subject:—

"The prices of wheat at the market of Odessa, on the Black Sea, the only port† in Southern Europe from which any considerable supplies of wheat can be obtained, are extremely fluctuating and various. In 1821, the price of wheat at Odessa amounted, according to Mr. Tooke, to about 30*s.* a quarter;

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* In corroboration of Mr. Behrend's opinion, and in contradiction to Mr. Solly's assertion, that there is comparatively little land fitted for wheat in Poland, we extract the following passage from the conclusion of Mr. Jacob's evidence: "Are you of opinion, that if the price of corn did rise materially in Poland, there is a very great extent of country there, which might be made to produce very good corn, if they had a more encouraging price for it?—Yes; and if they had capital.—Would they not be tempted to bring that which is now under cultivation for rye, under cultivation for wheat?—Probably they might."—*Report*, p. 376.

† Odessa is the only port in Southern Europe from which a considerable supply of wheat can be at present obtained. It is impossible to say, however, to what extent corn might be supplied from the countries adjoining the Mediterranean, were any tolerable government introduced into those countries. Sicily, Egypt, Asia Minor, and the African coast, were once the granaries of the world; and might be so again, under any government which would but afford tolerable security to person and property.

and we are informed, by the same excellent authority, that the charges necessarily attending the importation of wheat from Odessa to London, would not fall short of 22*s.* 6*d.* a quarter. [Report, p. 226.] It must be further kept in view, that if the average price of English wheat was 60*s.*, Odessa wheat would not, on account of its inferior quality, be worth above 48*s.* or, at most, 50*s.*: so that it would be impossible to bring Odessa wheat into competition with English wheat worth 60*s.*, unless its prime cost was rather below 27*s.*, which is very rarely, if ever, the case, with such qualities as are fit for exportation."—p. 61.

It appears, however, from Mr. Tooke's evidence, that the price, at the time of which he spoke, was unusually high, there being a great demand for exportation, and the supply being deficient. The fact is, that whatever may have been the price at the period to which Mr. Tooke's evidence referred (April 1821), the average price of the whole year did not exceed 25*s.*

We have received from the best mercantile authority at Odessa, a table of the average prices of hard and soft wheat in that market, for almost every week, from the beginning of 1817 to the end of 1824. From this statement, estimating the rouble at 9¾*d.* and reckoning 100 chetwerts as equivalent (which is nearly the fact) to 70¼ quarters, we have extracted the following table of the average prices of average Odessa wheat in sterling money for the last eight years :—

Years.	*s.*	*d.*
1817	37	3¾
1818	26	10¾
1819	17	1
1820	18	6
1821	24	10½
1822	22	6¾
1823	16	7¼
1824	15	0¼

The average of these eight years is 22*s.* 4½*d.* Allowing 22*s.* 6*d.* for freight and other expenses attendant on importation, the price at which Odessa wheat, of average quality, could be sold in Mark-lane, will appear to be rather below 45*s.* Odessa wheat being inferior to English wheat by about one-sixth, it may be concluded from the authentic statements which we have given, that Odessa wheat would come into competition with English wheat whenever the latter sold at a higher price than from 53*s.* to 54*s.* per quarter.

It may be well to add, that whatever foundation there might

be for the supposition, that an increase of exportation would permanently raise the price of wheat in Poland; on the side of Odessa, at least, such an apprehension is chimerical. There are vast tracts of fertile land in the Ukraine, Podolia, and the countries adjoining the Crimea, at present uncultivated, or in pasturage; and from which corn might be supplied, perhaps for centuries, at the same low price at which it is now supplied from Odessa. We are even informed by the gentleman to whom we have before alluded, that, in the neighbourhood of Odessa itself, so great is the abundance of fertile soil that the same piece of land is rarely cultivated for more than two or three years together. When one piece of land is exhausted, the cultivators withdraw to another, as was the case among the Germans of old, and as we know to be the case at this day, in the back settlements of North America.

With regard to New York, the Reviewer has given us the prices by which the value of the wheat exported has been calculated at the Treasury Department for five years, the greater number of which, if these prices be correct, were years of unusually high price, and which give an average that even he would admit to be far too high. We know not what degree of reliance is to be placed upon the calculations on which these statements are founded; if they are as inaccurate as the official valuations at our Custom-house, there cannot be a worse authority.

We have received from a great commercial house at Liverpool the following statement, extracted from the New York prices current, of the average price of wheat at New York, from 1820 to 1824 inclusive:—

Year.	Price in Cents per Winchester Bushel.
1820	87
1821	100
1822	131
1823	130
1824	110

The average of these five years gives 38*s.* per quarter.* Omitting 1820, a year of extraordinary depression, the average of the last four years gives 40*s.* per quarter, for the price of wheat at New York, the dearest port in the Union. In Virginia and Maryland wheat is usually from 16 to 20 cents

* During these five years the dollar has gradually sunk in value from 4*s.* 6*d.* to 4*s.* 1*d.* or 4*s.* 2*d.* sterling. We have made our calculations at the rate of 4*s.* 3*d.*, being that assumed by the Reviewer.

per bushel, or about 6*s.* per quarter, lower than at New York. To the price at the latter port, add 12*s.* or 14*s.* the expense (as estimated by the Reviewer) of importation, and from 52*s.* to 54*s.* will appear to be the average price at which wheat imported from New York could be sold in Mark-lane. In this case no deduction is to be made for difference in quality, average American being fully equal to average English wheat.*

Besides, America exports flour as well as corn, and the carriage of the less bulky commodity being so much less expensive, it is probable that American flour would come into competition with English flour, at a much lower comparative price than American corn.†

But the facts which we shall now adduce, with regard to the price of wheat at Rotterdam, from 1815 to 1824 inclusive, are perfectly decisive. Holland, as is well known, has long been in the habit of importing a very great proportion of the corn which she consumes. She draws her supplies from a very wide surface; she is at nearly the same distance as Great Britain from the principal exporting countries; and there is, therefore, no reason why we should not obtain corn from those countries at the same price as she does. The following table of the average prices of wheat at Rotterdam for the last ten years is derived from the very highest mercantile authority:—

Years.	Price in Guilders per last of 86 Winchester Bushels.
1815	257
1816	390
1817	574
1818	396
1819	284
1820	235
1821	221
1822	193
1823	197
1824	147

These prices, being reduced to sterling money at the average rates of exchange for the several years, give the following as the average prices, per Winchester quarter, for those years:—

* See the Edinburgh Reviewer himself, note to p. 62.

† When the immense line of country on the banks of the Mississippi River comes to be in full cultivation, it may be expected, from the amazing fertility of its soil, and the facilities of water carriage which it enjoys, that it may be able to supply the western countries of Europe with corn at a much lower price than it is possible to calculate upon at present.

Years.	Price per Quarter. s.	d.
1815	47	8¼
1816	60	11¼
1817	93	0¾*
1818	66	8
1819	46	6½
1820	36	10½
1821	33	5
1822	29	9¼
1823	30	3
1824	32	10¼

The average of the ten years is 47*s.* 9¾*d.*

It is true that, in these ten years, there were several seasons of very general abundance. It will be observed, however, that there were two years (1816 and 1817) of very general deficiency. In 1815, before the scarcity began, and in 1819, between the end of the scarcity and the beginning of the glut, the price seems to have very nearly approximated to the average that we have assigned; and this circumstance adds to the presumption, that the average of these ten years is a fair criterion of the ordinary price.

The advocates of the opinion which we are combating lay great stress upon the circumstance, that the returns of average prices include all qualities of wheat, and not the best qualities only; forgetting that since it is *average* English wheat, and not the best English wheat alone, which is our standard of comparison, it would be unfair to ground our calculations on the price, in the Dutch market, of any description of wheat which is of higher quality than average English wheat. It is not with Holland as it is with Odessa. Average Odessa wheat is inferior to average English wheat, by about one-sixth. The average of the wheat which is sold in the Dutch markets is inferior to average English wheat, by three or four shillings per quarter at the utmost. The statements which we have exhibited give something less than 48*s.* as the average price of the average wheat which is sold in the market of Rotterdam. To

* These fluctuations are greater than could have been anticipated in a country which, at the period referred to, enjoyed almost a free trade in corn: but it must be remembered that in the years of greatest elevation (1817 and 1811), the price had been artificially raised by our great importations, which carried off a portion of that grain which had been produced for other markets.

this, add 4*s.* for the difference in quality between that average and the English: and this calculation gives 52*s.* for the price at which, in ordinary years, wheat equal to average English wheat, could be imported. And this is the same conclusion at which we had previously arrived, from a calculation founded on an estimate of the remunerating prices in the principal exporting countries.

The average price of wheat would therefore be reduced eight or nine shillings per quarter, by the opening of the trade. This fall of price, though quite sufficient to give a great relief to the consumer, is nothing compared to that which we were taught by the agriculturists to expect as the inevitable consequence of a free importation of corn. These gentlemen, indeed, in their pathetic appeals to the compassion of the public for protection against the utter ruin in which they would have it believed that the repeal of the Corn Laws would involve them, seem to have forgotten that this kind of argument cuts two ways; that if it tells in their favour, it tells still more strongly against them; that if the price of corn really is kept, in consequence of the Corn Laws, so much higher than it would otherwise be, these laws are only by so much the more insufferable a nuisance, and their repeal only by so much the more imperatively required.

Without disguising our opinion that the repeal of the Corn Laws would lower the average price of corn, we can supply the landlords with topics of consolation which, if duly appreciated, are fully sufficient to make them readily acquiesce in this most important of all commercial reforms. For if it be of consequence to them to have a high price, it is also of very great consequence to have a steady one; and it may fairly be doubted, whether they gain so much, by a higher average rent, as they lose by the constant fluctuations which are the necessary effect of the exclusion of foreign corn.

A country which freely admits the corn of all nations into its market, is scarcely ever exposed to either of the opposite evils of excessive dearth or ruinous depression. If there be a bad harvest in one country, there is a good one in another; and the surplus produce of the latter supplies the deficiency of the former, thus saving the one country from the evils of famine, and relieving the agriculturists of the other from the ruin attendant on an extraordinary depression of price. But a nation which denies itself the power of supplying its wants from the resources of foreign countries, becomes dependent for its supply of corn, not upon the annual produce of the whole world, which may be regarded as tolerably uniform in its quantity, but upon the goodness or badness of the harvest in a particular country,

which, from the vicissitudes of the seasons, may vary so much as to occasion the most distressing fluctuations of price.

There is nothing in political economy more certain, than that a small variation in the supply of such a commodity as corn, produces a much more than proportional variation in price: a proposition which Mr. Tooke, who has explained so many of the complicated phenomena of prices, has shown to be as conformable to observed facts, as it is to sound reasoning.

In most other commodities an increase of price induces the purchasers in general to restrict their consumption, and the rise of price, therefore, is little more than proportional to the falling-off in the supply. But corn is a commodity of which, whatever may be its price, all are desirous of consuming the same quantity as before; being willing to renounce almost every other comfort, rather than diminish their consumption of so important a necessary of life. They bid, therefore, against one another, until the poorer competitors are driven out of the market from mere necessity. If the deficiency be considerable, the amount of misery produced baffles all calculation. Wages do not rise in proportion, for wages are affected only by *permanent* variations in price; the whole weight of the evil is, therefore, thrown upon those who are least able to bear it. The poorest class of labourers are deprived of the food which is absolutely essential to well-being, and the class immediately above them are compelled to sacrifice almost all their other comforts, in order to obtain their usual quantity of bread.

Though the farmers, in bad seasons, have less corn to sell, yet if foreign supplies be excluded, the value of their produce is increased, more than its quantity is diminished, and it is more profitable to them to sell a million of quarters, at 100*s*. per quarter, than 1,200,000 at 60*s*. These accordingly are the halcyon days of agricultural prosperity. If the high prices, from a succession of bad seasons, continue (as during the late war) for a number of years, the farmers grow rich, rents are punctually paid, new leases are granted at increased rents; both farmers and landlords are tempted to increase their domestic expenses; the farmers, allured by the prospect of high prices, continue to apply additional capital to the soil; commons are inclosed, new and expensive modes of cultivation are introduced, and a foundation is laid for that ruin which necessarily follows on the successive return of two or three abundant harvests.

For it is not more certain that a small deficiency produces a great enhancement of price, than that a trifling excess often occasions an inordinate depression. No doubt, when any class of the community was before insufficiently provided with food, an

increased consumption is the probable consequence of a fall in price; the increase of consumption, however, is rarely, if ever, proportional to the excess of supply, since they, who already had food enough, are under no inducement to consume more. In a state of freedom the surplus produce would find a market abroad, as soon as the price had fallen sufficiently to indemnify the exporter for the expenses of transit. But, when by a system of restriction the average price of corn has been raised in any country much above that which is the average price in other countries, an abundant harvest becomes not only a curse to the farmer, but a curse from which there is no relief. His corn is raised at an expense far exceeding the cost of production abroad, and that which is a remunerating price to the foreigner, would to him be absolute ruin. If he exports, he must submit not only to the payment of the expenses of exportation, but to the loss of all the difference between the cost of production at home, and the price abroad. If the average home price is, by the effect of the Corn Laws, kept 10 per cent above the price abroad, he can obtain no vent for his surplus produce in the foreign market, but by a sacrifice of 10 per cent and the cost of carriage in addition.

To a period, therefore, of dearth and agricultural prosperity, succeeds a period of plenty and agricultural ruin. The inferior lands are thrown out of cultivation, and the capital which has been expended on them is utterly lost; the poorer class of farmers become insolvent; the landlords receive no rent, or if they receive any, receive it out of the capital of the tenants; the provisions for children, and other fixed charges, which were a moderate burden upon their former incomes, now swallow up the whole; and the ruin both of landlords and of tenants is accelerated by their inability to renounce in adversity those expensive habits which the former high prices had encouraged them to contract.

As if it had been resolved that all possible varieties of absurdity should meet together in a single enactment, even the subordinate arrangements are nearly the worst which could be derived, for that very class whose interests they are intended to promote. If importation were permitted at all times, subject to a high duty, the evils of great fluctuation would indeed be unavoidable; the agriculturists would be ruined in periods of abundance; but they would at least be assured of prosperity in periods of scarcity. But now, when importation is prohibited until corn shall have attained a certain price, and even then permitted only for a few months, the importers being compelled to hurry their corn into the country, without having time to form a judgment as to

the causes of the scarcity, its extent, or probable duration, have no means of ascertaining how much corn is wanted, and much more than is wanted is frequently brought; the price is proportionally, or more than proportionally depressed, and at a time when the farmer, having an unusually small quantity, has the greatest occasion for a high price, he is forced to content himself with what would not perhaps be an adequate remuneration even in an average year.*

If the landlords would attend a little to these, and some other effects of the restrictive system, we should no longer hear them clamouring, as so many of them have done, for a protecting duty of 20, 30, or 40 shillings. Can it be doubted that a steady price, though at a somewhat lower average, is better for the landlord than an alternation of famine and glut, of exorbitant gains and absolute ruin?

'Granting that his rents will be higher; granting that, for a few years, he may receive a larger sum than he would have done if no such monopoly had existed; still it will be difficult of proof, that a system by which his tenant is injured can be a beneficial one to him. Let us look at his situation; he has a large income, perhaps, and lives in a corresponding style of splendor and comfort; his establishment is upon a proportionate scale; his agencies, his allowances to his children, his subscriptions, in short, all the various charges of this description are settled accordingly. During the period of deficiency, his rents are paid; but the period of abundance is as alarming to him as to the farmer, for then his account is made up of small actual receipts and a long column of arrears; but his expenses remain for some time undiminished; and as he also considers this state of things temporary, he is not willing to make such an alteration, as, if permanent, he would be compelled to do. Some of his out-goings cannot be diminished; if he before lived up to his income, it is quite clear, this year, he must live much beyond it. The frequent recurrence of such periods would place the landed interest of this country in the same situation as the West-India planter; and whoever really wishes to promote their welfare, would choose any other state than that, to which to assimilate theirs.†—But supposing a pro-

* On the other hand, the complicated and intricate provisions of the present law afford such scope to fraudulent artifices, that importation is often prevented, even when corn is selling to *bonâ fide* purchasers at a price exceeding that at which it was the intention of the legislature that the ports should open. Of the fraud and trickery which it is the inevitable tendency of the system of averages to produce, the pamphlet of Mr. Hays (himself an eminent corn-dealer) affords a most instructive display; and we regret that want of space prevents us from doing more than directing the attention of the reader to the pamphlet itself, which, though short, is valuable, and will reward him well for the trouble of its perusal.

† 'The property in the West Indies is said, upon the average, to change hands every twenty years.'

prietor to have his land thrown upon his hands; supposing it beggared, impoverished, and exhausted; supposing his buildings without repair, his hedges and gates neglected, to all which the distress of the farmer must tend; how can the system be a permanently beneficial one to him?' —*Whitmore*, pp. 58, 60.

It should also be remembered, that the corn which we might import, would not be gratuitously bestowed upon us by the foreign producers: it would be well if it were, but unhappily they are not so generous. They demand our manufactures in exchange; and if the raw material of those manufactures be of home growth, the production of that material would open a new channel for the profitable employment of agricultural capital. Suppose that we were regularly to import corn from Dantzic or Odessa, and pay for it in Yorkshire cloths, the produce of English wool; much of the land, which they tell us would lie waste, might be profitably laid out in sheepwalks for the production of this wool. Not to say that it would *all* be ultimately employed in this or some other way equally advantageous to the landlord, since the repeal of the Corn Laws could not fail, by raising profits, to stimulate accumulation and promote the increase of population to such a degree, that all but our very bad lands would speedily be wanted for pasturage, and for the growth of such products as must necessarily be grown at home, though every quarter of corn which we might require should be imported. The free importation of corn in this respect resembles an improvement in agriculture, which, though it may lower rent for a time, is ultimately beneficial even to the landlord himself.

The landlord should consider, that if he has an interest opposed to that of the community, he has also an interest in common with them: that, if, on the one hand, he may prosper at their expense, he cannot fail, on the other hand, to be a sharer in their prosperity also. It is his interest, as well as theirs, to eat cheap corn; it is his interest, as well as theirs, not to be burthened with a heavy parochial assessment, to provide for the starving labourers in seasons of dearth. And if all these considerations should fail of convincing him that he would not be to any great extent a loser by cheapness of corn; let him throw the happiness of thousands and millions of his countrymen into the scale.

To those landlords, however, in whose minds inveterate habit has created so intimate an association between the robbery of the public and gain to themselves, that if they can but make others pay, they find it not possible to conceive that they should not be gainers by it, we have only to say, if they will have

it, that if what is a blessing to all the rest of the community, is an injury to them, they must even pocket the loss, and make the best of it that they can. For the stale sophisms, which answered very well formerly, will go down with few people now; so few, that it is scarcely necessary for us to notice them: since, however, this inquiry would not be complete, were we not to make some mention of the more prominent among these sophisms, we will trespass somewhat longer upon the patience of the reader for that purpose.

They say, then, that there is danger in depending for any part of our supply of so important an article as corn upon the will of foreigners, with whom we may be at war, and who would have it in their power, by prohibiting exportation, to involve us in all the miseries of famine. "This argument," says Mr. Mill [*Elements of Political Economy*, 2nd ed. p. 197], "implies an ignorance, both of history and of principle; of history, because, in point of fact, those countries which have depended the most upon foreign countries for their supply of corn, have enjoyed, beyond all other countries, the advantage of a steady and invariable market for grain: of principle, because it follows unavoidably, if what, in one country, is a favourable, is in other countries an unfavourable season, that nothing but obtaining a great part of its supply from various countries can save a nation from all the extensive and distressing fluctuations which the variety of seasons is calculated to produce. Nor is the policy involved in this argument better than the political economy. It sacrifices a real good, to escape the chance of a chimerical evil; an evil so much the less to be apprehended, that the country from which another derives its supply of corn is scarcely less dependent upon that other country for a vent to its produce, than the purchasing country is for its supply. It will not be pretended that a glut of corn in any country, from the loss of a great market, with that declension of price, that ruin of the farmers, and that depression of rents, which are its unavoidable consequences, is an immaterial evil."

Mr. Whitmore makes on this subject [p. 87] the following very pertinent observations:—

'Upon this subject, however, we may proceed upon proof and experience, and need not, therefore, trust to general reasoning. It is well known that this country constantly imports nearly all the hemp it uses; it is equally clear, that, if deprived of it, the consequences to us, a maritime and commercial people, would be to the last degree injurious. If there be one article more than another, of which an hostile country would wish to deprive us, it would be this very article of hemp, which may fairly be considered the sinews of naval warfare. But were we

ever deprived of it? Was there ever any serious obstruction, either to our naval armaments or to our commercial speculations, arising from a deficiency of this important article? If not, it is chimerical to imagine that we should ever be deprived of the corn we are in the habit of importing.'

It is further alleged, that the various classes of manufactures are protected from foreign competition, and for this reason it is contended that the landlords ought to obtain a similar protection. To this objection also we shall reply in the words of Mr. Mill—*Elements*, pp. 98–9.

"In the first place, it may be observed, that if this argument is good for the growers of corn, it is good for every other species of producers whatsoever; if, because a tax is imposed upon the importation of woollens, a tax ought to be imposed upon the importation of corn, a tax ought also to be imposed upon the importation of every thing which the country can produce; the country ought, in short, to have no foreign commerce, except in those articles alone which it has not the means of producing. This is a reduction to absurdity which appears conclusive. The argument moreover supposes that an extraordinary gain is obtained by the manufacturer, in consequence of his supposed protection; and that a correspondent evil is sustained by the corn-grower, unless he is favoured by a similar tax. The ignorance of principle is peculiarly visible in those suppositions, in neither of which is there a shadow of truth.

"The man who embarks his capital in the woollen or any other manufacture, with the produce of which that of the foreign manufacturers is not allowed to come into competition, does not, on that account, derive a greater profit from his capital. His profit is no greater than that of the man whose capital is embarked in trades open to the competition of all the world. All that happens is, that a greater number of capitalists find employment in that branch of manufacture; that a portion, in short, of the capitalists of the country employ themselves in producing that particular species of manufacture, who would otherwise be employed in producing some other species, probably in producing something for the foreign market, with which that commodity, if imported from the foreign manufacturer, might be bought.

"As the man who has embarked his capital in the trade which is called protected, derives no additional profit from the protection; so the grower of corn sustains not any peculiar loss or inconvenience. Nothing, therefore, can be conceived more groundless than his demand of a compensation on that account. The market for corn is not diminished because a tax

is laid upon the importation of woollens; nor would that market be enlarged, if the tax were taken off. His business, therefore, is not in the least degree affected by it."

Not only is the existence of other monopolies no reason why the corn monopoly should be kept up, but the mutual support which every monopoly lends to every other, is one of the strongest reasons why they should all be destroyed. Every monopoly annihilated, takes one member from the confederacy; leaves one restriction less to be appealed to as a justification for others; adds something to the number and strength of those interested in freedom of trade, and takes something from the mass of interest enlisted on the side of restraint. The Corn Laws are not merely to be viewed as the cause of those evils which directly and immediately flow from them. They are to be judged, not only by the evil which they do, but by the good which they prevent from being done. If the landlords had no longer a monopoly of their own, they would no longer, perhaps, uphold the monopolies of others. It is no more their interest than it is that of the public, to pay dear for their goods; and the *protection of manufactures* might find fewer supporters in a certain honourable House, were it not for the necessity of conceding something to those who might be dangerous enemies to the protection of agriculture.

Nor are the mischievous consequences of our Corn Laws confined to this country. Who can know to what extent they may have served as a motive or as an apology for equally pernicious monopolies in other countries? But for the parliamentary slang of protecting agriculture, America might never have conceived the ridiculous idea of protecting manufactures; since this is the cant word which custom has appropriated to those measures by which a nation renounces the benefit of all the peculiar advantages which nature has bestowed upon her in the production of particular commodities. The late Russian Tariff is believed to have been partly intended as a measure of retaliation upon us; and the last Corn Circular of Messrs. Almonde and Behrend observes, "It has been rumoured that our government intends to retaliate, or at least to meet the present prohibitive system of the Western countries by a similar measure as regards several expensive articles of importation which are not in the number of the immediate necessaries of life; but little good," they add, "is expected from such a measure, as it would, perhaps, tend to annihilate trade altogether."

Were the exclusion of foreign goods a real advantage instead of a positive evil, it would yet be expedient for a commercial country to sacrifice this advantage, in order to obtain in its

turn a similar concession from other countries; on the same principle on which every man would find it his interest, even if there were no laws, to refrain from picking his neighbour's pocket, lest by so doing he should provoke his neighbour to perform a similar *manœuvre* upon his.

We are continually calling ourselves a trading nation; and we boast of our commerce, no doubt very justly, as one of the grand sources of our wealth. Yet, who ever heard of a commerce which was not mutual? How can we expect to export without importing?* or of what advantage would it be to us if we could? since, demonstratively, it is the imports alone, from which the benefit of foreign commerce is derived. Nobody is enriched by giving any thing away. Should we grow rich by exporting all that we have, and importing nothing? How truly, then, do we misunderstand our own interest, if we attempt to sell our own commodities to foreigners, and yet refuse to take theirs in exchange!

We wonder that it has never occurred to those governments, from whose territories we draw our foreign supplies of corn, to punish us for refusing to take their corn regularly, by not permitting us to take it at all. The foreign agriculturist, as he can never reckon upon our demand, of course never produces a corresponding supply; and we, if our price rises to 70*s.* rush in and carry off part of a crop which was not more than sufficient, perhaps was not sufficient, for the supply of the country from whence it was drawn. The extent to which this evil may be carried is little conceived in this country. Mr. Behrend informs us, that the cessation of our demand for Polish corn, since 1818, has caused such a falling-off in the supply, that were it suddenly to become known that 600,000 quarters of wheat would be speedily wanted for importation into England, he should expect the price in the Dantzic market to mount up at once to 120*s.* or 140*s.* And at no price, he says, in the present state of cultivation, could Poland furnish us with as much corn as she did in 1816. Thus, if our Corn Laws should not be repealed, two or three bad harvests may be expected to bring on us all the evils, not of dearth alone, but perhaps of actual famine.

It has been said, that although the home-growers have no

* Messrs. Almonde and Behrend, in their circular already quoted, observe, "It is generally thought that the consumption of British colonials and manufactures does not, at present, exceed one half of what it was before this unfortunate crisis of the corn trade took place." The crisis alluded to is the glut of agricultural produce, which has been principally occasioned by the cessation of demand from this country since 1818.

claim to be more favoured than the importers, they have a claim to be equally so: that the home-grower is subject to many taxes, from which foreign corn is exempt; and that a countervailing duty ought, therefore, to be laid upon the importer, equal to all the taxes which fall on corn of British growth.

If, in this country, raw produce were the only article subject to a tax, this argument would be perfectly just. It is now acknowledged that taxation should be so regulated as to disturb as little as possible that distribution of capital, to which the interests of individuals would lead in a state of perfect freedom. A premium should be given neither on importation nor on home production. A law which forces us to import our corn is as bad as a law which forces us to grow it at home. In both cases, the effect is, that we pay dearer for it than we ought.

But when other commodities are taxed as well as corn, we think, with the writer of the article already referred to in the Edinburgh Review, that the agriculturists are not entitled to a countervailing duty, unless they can show that they are more heavily taxed than other classes of producers; nor ought the duty even then to exceed the difference between the burthens of the agriculturists and those of others. The reason is, that if all commodities of home production are taxed exactly alike, even without countervailing duties, it is the same thing, with respect to trade, as if they were not taxed at all; since prices are not higher than if there were no tax, and there is no motive therefore to import any thing, which there would not be a sufficient motive to import in a state of perfect freedom. A protecting duty, in that case, would be a premium on home production, and, therefore, injurious. But if commodities are taxed unequally, those which are most highly taxed, rise in price, and there is an immediate motive to import them from abroad, paying for them in those which are less heavily burthened. To prevent this, therefore, there is need of a countervailing duty, equal to the difference between the two rates of taxation.

Should it appear, then, that agricultural produce is subject to higher taxation than manufactured goods, a countervailing duty would be required. The Edinburgh Reviewer is of opinion, that an *ad valorem* duty of 10 per cent would be amply sufficient. This would be equivalent to five or six shillings per quarter. But a fixed is obviously preferable to an *ad valorem* duty, as the latter, increasing with the price, falls heaviest in dear years, when it is of the greatest consequence that importation should

be free. Should the time come, as come it must, when the tithe-tax shall cease to exist, the import duty may be totally discontinued.

Mr. Ricardo, who concurred in Mr. Whitmore's recommendation of a fixed duty of 10*s*. per quarter, advised, however, as a measure of indulgence to the agriculturists (to give them time for gradually withdrawing their capital from the land), that the duty should be originally fixed at 20*s*. and lowered 1*s*. every year until reduced to 10. We shall be believed when we say, it is with the greatest hesitation we presume to differ from so great an authority; but we fear, that, in general, these gradual changes, which are intended as a boon to the producers, are felt rather as an evil than as a good, even by those for whose benefit they are designed. On a recent occasion, when, to save the silk manufacturers from loss, the period of the reduction of the silk duties was postponed for a year, the silk manufacturers themselves very generally complained, that they would have suffered less from the immediate operation of the measure, than they did from the stagnation of business which was the consequence of the delay; and we suspect, that if the gradual reduction, proposed by Mr. Ricardo, were adopted, the anticipated fall of price would occasion so general an indisposition to lay in any quantity, beyond what was wanted for immediate consumption, as might involve the producers in all the evils of a glut. We believe, therefore, that the introduction at once of that system which is intended to be permanently established, is the most desirable course for the agriculturists, as it certainly is for the rest of the community.

We cannot conclude these observations without again reminding our readers, that if ever there was a time when it was of importance that the public opinion should strongly and loudly declare itself upon this question, it is now. Mr. Whitmore has pledged himself to bring the subject before parliament in the present session. The good disposition of a portion of the ministry on this question is well known; of that enlightened portion to whom we are already indebted for the abolition of that worst of taxes, the duties on law proceedings; for the opening of the silk trade; for the free, or virtually free exportation of wool; for the partial abandonment of that ludicrous policy, which forms the basis of our navigation laws; and (in a great degree) for the repeal of those barbarous statutes, which were expressly designed to keep down the wages of labour. Ministers who have done thus much, will do more; and on the subject of the Corn Laws, they have already expressed the soundest opinions. Unfortunately, however, they are not all-

powerful in the cabinet; they will not always be in office, and should they continue as long in power as it is our wish that they may, they will need all the support which public opinion can give, to carry the repeal of the Corn Laws against half the cabinet, and the whole of the landed aristocracy.

We have given our praise, as we shall always give our censure, where we feel it to be deserved; nor is there any inconsistency in praising ministers, and censuring those institutions, under which such men are prevented from wishing all the good which they might do, or from doing even all that which they wish. Measures, not men, is our motto; and, had we a government constituted as we desire, we should not wish its administration to be placed in better hands. Freed from the trammels of sinister interest, they would then follow where their better inclinations would lead. And when we consider what is the ordinary effect of power upon the human mind, and what sort of beings ministers usually are; that persons situated as they are should have the smallest sympathy with the public, is a degree of merit which we scarcely know how sufficiently to praise. Should they succeed in relieving the community from the intolerable scourge of our Corn Laws, they will be justly considered as the wisest and best ministers whom this country has ever produced.

Art. VII. *The Article Prisons and Prison Discipline.* Reprinted from the Supplement to the Encyclopædia Britannica. Pp. 24.

PRISONS and penitentiaries first became a subject of very general discussion in this country about forty years ago. Antecedently to that period, it could hardly be expected that they would have attracted a large share of the public attention. While reflecting men thought but little of the securities necessary to guard against bad conduct on the part of those intrusted with the supreme authority, it was not probable that they would be very acute in discerning where securities were wanted, in the subordinate branches of administration. At that time, arguments in favour of representative government were drawn from the *natural rights* of man, and freedom was claimed as the *birthright of Englishmen*. The happiness of the community, as the end of government, being thus overlooked, our surprise cannot be great, that the end of some of its arrangements in detail, should have been lost sight of likewise.

Of late years, however, a habit of keeping the true end of legislation a little more in view, has been gaining ground among all who have any claim to political knowledge. Not only have

the checks been pointed out, which are requisite to secure a perfect conformity between the acts of the legislating body and the interests of the people, but many of the means by which these interests may be more immediately promoted, have been analysed and developed. Formerly the interests of the "country" were exclusively considered, by which "country" was meant the governing few. But now the interests of the many begin to be talked about, and subjects of importance to those classes denominated the lower, are not considered as wholly undeserving of notice. This improvement in the public mind has, among other things, wrought a salutary change in prisons. It is no longer thought, as heretofore, that prisons ought to be mere instruments for striking terror into the lower classes, and that, for this purpose, they cannot be made too uncomfortable. Some vague notions begin to be entertained, that they may be made subservient to the purposes of reformation, and that confinement in an unwholesome prison, as a punishment, may be, at the same time, cruel to a culprit and unprofitable to the community.

It is not our intention to attempt a history of prisons and penitentiaries: the grand thing for us to learn is, not what horrors have been committed in the prisons of our forefathers, but in what manner our own may be made most effective towards promoting the ends of justice; not what has been the progress of improvement in our system of prison discipline, but of what further improvements it is still susceptible.

The essay at the head of this article is from the pen of the distinguished author of the History of British India; and is one of seven which have been lately reprinted, by subscription, with the consent of the editor of the work in which they were originally published. It presents, in a compact and perspicuous form, an outline of what, in the opinion of the writer, ought to be the economy of a prison, and the treatment of those confined within its walls. "There is not," he observes, in his concluding paragraph, "an idea which did not originate with Mr. Bentham, whose work ought to be the manual of all those who are concerned in this material department of public administration."

In number 60 of the Quarterly Review, appeared a long and laboured article upon prisons and penitentiaries, to which was prefixed a list of no less than twelve publications connected with that interesting subject. A better spirit pervades this article than is generally to be met with in the pages of the Quarterly Review, an occurrence which we would not willingly miss the opportunity of noticing. We cannot be accused of unfairness in assuming, that the opinions expressed by this writer are

those of the ruling powers in this country. Little qualified, as he apparently is, in point of acquirements, for the task which he has undertaken, we should be glad to think that the country gentlemen and others, in whom the control of prisons is vested, had attained even that degree of knowledge and good intention to which he can lay claim. Taking, therefore, his opinions of what constitutes excellence in a prison, as the standard of what the best of existing English prisons are, our object will be, to ascertain how far they coincide with what prisons really ought to be.

One of the objects of the writer, to use his own words, was, "to lay down a few principles." His language is not remarkably clear and precise, but, in the course of the thirty-five pages which he occupies, he has sufficiently explained himself to enable us to collect pretty tolerably, what those principles are; and it is to those principles that our observations will be mainly directed. The end of all inquiries concerning prisons, as concerning any thing else, ought to be, the discovery of the means, by which they may be made the instrument of the greatest benefit to the community. That the writer in the Quarterly Review has proposed this end to himself, we have no reason to doubt. We shall content ourselves, therefore, with examining whether the principles which he lays down are, in all cases, the most conducive to that end.

It is our wish, if possible, to combine two advantages in the following pages: 1st, to give a succinct account of what we deem essential to a perfect plan of prison discipline; and in doing this we shall draw largely from Mr. Mill's work: 2nd, to point out wherein the principles which we recommend differ from those of the Quarterly Reviewer, with a statement of the reasons on which our preference is grounded.

Until a clear conception is formed of the various purposes to which prisons are applicable, the chances of a correct judgment being passed upon any plan of prison discipline must necessarily be small. We shall, accordingly, before we enter more at large into the subject, attempt to mark out with precision what those purposes are.

The first and most obvious purpose to which a prison can be applied is, that of securing the attendance of the person detained. An individual is suspected of having committed a certain act, or of having been privy or witness to its commission, and it is desirable for the ends of justice that his presence on the day of trial should be secured. Where adequate motives for his attendance on that day can be presented, his detention is unnecessary; and hence the infliction of punishment previous to condemnation,

which is unavoidably involved in imprisonment before trial, may be avoided. Those motives are presented, and his presence is secured. There are certain cases, however, in which no security for his appearance short of detention can be depended upon: In those cases, and in those alone, ought he to be committed to prison.

When an individual is convicted of a crime, his punishment may be inflicted in a prison, or that punishment may itself be imprisonment. And previous to his being restored to liberty, it may be deemed advisable to eradicate his vicious habits, and to replace them by others of a virtuous tendency. The purposes, then, to which prisons are applicable may be comprised under the heads of Safe Custody, Punishment, and Reformation; and it will be obvious to every body, on a little reflection, that for each of these purposes an arrangement of means peculiar to itself is requisite.

The prevalent practice, hitherto, in treating of prisons has been, to overlook the important distinctions which exist between these various purposes. Because punishments are inflicted in prisons, prisons have been looked upon as places of punishment. "A Prison" it has been said "must be a prison, a place of sorrow and wailing; which should be entered with horror, &c."* The Quarterly Reviewer has fallen into this error, an error arising entirely from imperfect classification. In one part of his article he disclaims all intention of making prisons places of suffering to untried prisoners, in another he seems to fear lest the ideas of loathsomeness and misery should not be connected with a prison in the public mind. His conclusions are vague and unsatisfactory, because his conceptions, with regard to the different purposes for which prisons are employed, are imperfect. If it could be shown that arrangements for safe-custody merely, and for punishment, cannot be advantageously combined in one building, the only alternative would be, to provide separate buildings for each of them. But, to whatever conclusion the consideration of this subject might lead, no fear of inconvenience and expense ought to make us shrink from the investigation of the means by which the separate purposes of safe-custody and punishment can be attained.

In a country like England, where the process by which the laws are enforced is so tardy, and where the interval which is allowed to elapse between the committal and trial of a prisoner often exceeds six months, the distinction between safe-custody and punishment ought to be particularly kept in view. The mere

* Edinburgh Review, No. 70. p. 297.

detention is an evil sufficiently aggravated without the addition of any unnecessary suffering. The practice of rash committals has of late been much and deservedly reprobated. But if the spirit of the age goes on improving while prisons are allowed to remain places of unnecessary suffering, this practice may be superseded by a practice of a much more dangerous tendency. Sooner than consign unconvicted individuals to punishment, magistrates may adopt the practice of rash dismissals; and rash dismissals must inevitably be attended with impunity to offenders.

Mr. Mill has entered into a separate examination of the several purposes to which Prisons are applicable. We do not mean to say that other writers have not likewise mentioned these purposes. A treatise on prisons could hardly be written without doing so. But nobody has so well pointed out the radical distinctions between safe-custody, punishment, and reformation, nor examined separately into the particular set of means best adapted to the attainment of each of these three purposes.

Mr. Mill observes that, although each of these requires an arrangement of means peculiar to itself, it is very evident that the means of safe-custody, are required for the purpose both of punishment, and of reformation. To the arrangement for safe-custody, therefore, he first directs his attention, as forming the basis upon which every combination of means required for the other purposes of imprisonment must be erected. As this division appears to us the best calculated to afford a clear view of the means by which the end of imprisonment may most effectually be obtained, we shall adopt it here.

The article in the Quarterly Review is written in so loose and irregular a manner, that it is difficult to pronounce whether any fixed plan has been pursued. The writer commences by noticing the three classes of persons who are liable to imprisonment by the laws of England, the debtor, the accused criminal, and the convict. He observes, justly, that, with regard to the second of these classes, the only purpose of imprisonment is, to secure appearance at the day of trial. An insecure prison, says he, is a solecism in terms. By what means, then, can this security be most cheaply and effectually provided?

'Dungeons and fetters,' says Mr. Mill, 'are the expedients of a barbarous age. In respect of prisons, as of every thing which comes within the precincts of law, the expedients of a barbarous age are, with great industry, retained in one which is civilised. They are, indeed, preserved with a success which, if it were not experienced, would be altogether incredible. As the expedients of a barbarous age still exist in many other arrangements for the purposes of law, so it is but of

yesterday that the prisons of our forefathers have been regarded as fit for reform; or that the means which those sages in their ancestorial wisdom devised for attaining the ends of imprisonment were supposed capable of being altered for the better, by their less-instructed sons.

'It is at last, however, allowed, that Inspection is a means for safe-custody, which renders unnecessary all but very ordinary means of any other description. Thus, so long as a man is, and knows that he is, under the eyes of persons able and willing to prevent him, there is very little danger of his making an attempt, which he sees would be vain, to effect a breach in the wall, or force open the door, of his cell. Any great strength, therefore, in such wall or door, or fetters upon any part of his body, are wholly unnecessary, since the attempts are sure of not being made, or of being instantly frustrated.

'The plan of a prison, in which the power of inspection is rendered so complete, that the prisoner may be, and cannot know but that he is, under the eyes of his keepers, every moment of his time, a plan which we owe to General Bentham, so universally known for his mechanical genius, is described by his brother, in his work entitled *Panopticon*, or *Inspection-house;* where also a system of management is delineated, and its principles are expounded, so perfectly, that they who proceed in this road, with the principle of utility before them, can do little else than travel in his steps.

'An idea of the contrivance may be conveyed in a few words. It is a circular building, of the width of a cell, and of any height; carried round a space, which remains vacant in the middle. The cells are all open inwards, having an iron grating instead of a wall, and, of course, are visible in every part, to an eye properly placed in the vacant space. A narrow tower rises in the middle of that space, called the Inspection-tower, which serves for the residence of the keepers, and in which, by means of windows and blinds, they can see without being seen; the cells, by lights properly disposed, being capable of being rendered as visible by night as by day.

'Thus, we have provision for safe-custody; and, along with it, five other important purposes are gained. First of all, there is great economy; the vast expense of thick, impenetrable walls, being rendered unnecessary. Secondly, all pretence for subjecting prisoners to the torture and degradation of irons is taken away. Thirdly, no misbehaviour of the prisoners can elude observation, and instant correction. Fourthly, no negligence, or corruption, or cruelty, on the part of the subordinate agents in the prison, can escape the view of their principals. And, Fifthly, no misconduct towards the prisoners, on the part of their principals, can remain unknown to the public, who may obtain a regulated admittance into the Inspection-tower, and regulated communication with the prisoners' —p. 5.

The writer in the Quarterly Review appears never to have extended his thoughts beyond the common English gaol. He agrees, however, in reprobating the "ancient practice," and remarks that "the frequent necessity for the use of fetters almost amounts to proof of some mismanagement in the prison in which

it shall exist." [p. 407.] Mr. Bentham's plan would have the effect of superseding fetters altogether.

This writer is likewise in various other respects a seceder from the old school. He is sensible of the propriety of allowing the prisoners a sufficiency of air and exercise, of food and clothing of the cheapest kind, wholesome apartments, and the requisite medical attendance [p. 407.]—The reasons for this are so obvious that we may pass without comment to other subjects. Owing to the absence of every thing like method in his production, it is not easy to determine whether the Reviewer thinks it expedient or not, that prisoners before trial should be allowed to provide themselves at their own expense, with any thing beyond the gaol allowance. Not so with Mr. Mill: he, as usual, is clear and explicit:

'With respect to those who are in prison for safe-custody merely, the principle of benevolence requires, and the principle of economy does not forbid, that they should be free to use any indulgence, which costs nothing, or which they provide for themselves; and that no farther restraint should be placed upon their liberty than what the custody of their persons, and the rule of economy, which prescribes the limits and accommodations of the place, may demand'—p. 6.

It is almost needless to say that in these sentiments we coincide most cordially.

Debtors form a class of persons who are liable, according to the English law, to be inmates of a prison. What is the opinion of the Reviewer with regard to the course which it is expedient to pursue towards them? "We imprison" says he "the convict for punishment; and the debtor in execution, partly in punishment of the fraud which he is presumed or proved to have committed on his creditor, and partly as a mode of compelling him to produce or render available for the discharge of his debts that property which cannot be directly reached." [p. 406.] And again "The case of debtors also may be pressed on us; but health being secured, we cannot say that there appears to us any injustice in subjecting them also to the mortification of their appetite. Every debtor in execution either can or cannot pay his creditor; if he can, and will not, preferring to spend in self-indulgence the substance which, in truth, belongs to his creditor rather than to himself, it is well that he should be prevented from gratifying so unjust a desire; if he cannot, then he is supposed to be in a state of destitution, and the prison allowance must be a desirable relief to him."—p. 410, 411.

According to Mr. Mill,

'Under a good system of law, there would never be any body in a prison on account of debt. If fraud were committed in contracting the

debt, or of the property if others obtained by loan, had been dishonestly spent, or dishonestly risked, such fraud or dishonesty, being crimes, not a debt, might justly subject a man to imprisonment, or any other sort of due punishment.'—p. 6.

Imprisonment for debt, was the device of men who, in their zeal to satisfy creditors (so great was their ignorance), contrived to torment one portion of the community without benefiting the other. Had they wished to leave it to chance whether fraud should be checked or promoted, they could not have legislated more to the purpose. Without reference to guilt or innocence, they have allotted a punishment to a class of men of whom nothing is known except that they are unfortunate. That fraud and dishonesty ought to be punished, few will be found to dispute, but the imprisonment of honest debtors, so far from being beneficial to creditors, is a means of deferring, not of approximating, the period of payment.

Why the property of a debtor should not be "directly reached" is what we are at a loss to discover. In the city of London a creditor can, by a process issuing through the Lord Mayor's court, possess himself of the property which his debtor may happen to have in the hands of a third party. Were it not for the absurd forms and fictions with which English law abounds, means would ere now have been devised for sequestrating the property of debtors, and for obviating all pretence for their incarceration. As it is, however, we cannot agree with the Reviewer in thinking that the unfortunate debtor ought to have his "appetite mortified." Because he cannot discharge his debts, and cannot find friends to assist him to the extent necessary to enable him to do so, it does not follow that his friends will be unwilling to furnish him with some of the conveniences and comforts to which he had been heretofore accustomed. If debtors, simply as debtors, are to be subjected to imprisonment, if, because they are in want, they are to be debarred from their ordinary avocations, by pursuing which they might perhaps succeed in satisfying their creditors and in maintaining themselves; at least, we think they ought to be classed with those who are detained merely in order that their presence may be secured, and ought not to be made to suffer any thing beyond the loss of personal liberty.

Thus much for security, and for the mode of treating untried prisoners. We come next to the case of the convict. The same means which were requisite for the safe custody of other prisoners will serve equally for his. We have only further to consider the execution of the sentence which is passed upon him

by the judge, the end of which sentence is, of course, meant to be the benefit of society by the punishment and reformation of the culprit. We shall take the words of Mr. Mill for the basis of our observations under this head :—

'This we may assume as an indisputable principle; that whatever punishment is to be inflicted, should be determined by the judge, and by him alone; that it should be determined by its adaptation to the crime; and that it should not be competent to those to whom the execution of the sentence of the judge is intrusted, either to go beyond the line which he has drawn, or to fall short of it'—p. 7.

The reasons which apply for the preservation of the health of prisoners before trial, by attention to their apartment, their food, and their clothing, are equally applicable here. Formerly it was maintained that the convict ought not to be furnished with a wholesome apartment, and the necessary food and clothing. Such a doctrine imports that it is desirable to make the convict suffer the loss of a portion of his health in addition to the punishment inflicted upon him according to the sentence of the judge. There are few now, however, who are found to give their support to this doctrine in words, although we are sorry to say that it is far from being exploded in practice. Assuming, therefore, that every thing essential to the health of the prisoner is to be provided, it remains for us to examine in what manner a prison can, to any good purpose, be made instrumental to his punishment.

For some offences the mere imprisonment is deemed sufficient, the culprit being allowed to provide himself out of his own private means with conveniences and comforts, the enjoyment of which cannot in any way disturb the necessary discipline and order of the prison. This punishment, although by no means so mild as it has often been represented, especially when protracted to any length, is not adapted to offences of a very aggravated description. Imprisonment, where the criminal is prohibited from providing himself with any thing out of his own private means, and where his intercourse with his friends and relations is restricted within narrow limits, is a punishment of much greater severity. This species of punishment admits of being adapted to different degrees of crime, by being made of greater or less duration. The seclusion of the prisoner may likewise be graduated from the state of perfect solitude to that of any indefinite extension of intercourse with his fellow-prisoners. We mention solitude, but we agree with Mr. Mill and the Quarterly Reviewer in thinking that it ought only to be resorted to for short intervals, and under peculiar circumstances.

But are these the only modes of punishment to which a prison

ought to be made subservient? Were we to be guided by what is passing around us, we might be tempted to answer at once in the negative. The question, however, is well worth a little consideration. The fashionable punishment of the day is that of hard labour; and there is scarcely any subject upon which a more lamentable confusion of ideas may be seen to exist. On this point the opinions of Mr. Mill and the writer in the Quarterly are at direct variance. We shall quote them both: no remarks of ours will be needed, to assist the reader in making his selection between the two.

"With respect to hard labour," says the Reviewer, "as a useful mode of punishment and correction, there cannot well, we think, be much difference of opinion; and, without adopting all the rigour of the French code, few will in theory deny that it ought to be severe and irksome, a real punishment, not a mere employment." [417.]—"It is impossible to pass over in silence the tread-wheel, an invention which has certainly been exposed to most unfounded attacks, and perhaps been praised far beyond its real merits, but which we do not hesitate to pronounce a most important instrument of prison discipline."—p. 419.

Not one word of argument can we find throughout the whole article in support of the propositions advanced in the above paragraphs. We will now pass on to our extract from Mr. Mill, where, at all events, we shall find no proposition without a statement of the reasons by which it is supported.

'If a criminal in a prison is ever to be let out again, and to mix in society, it is desirable that nothing should be done, and least of all done on purpose, to make him a worse member of society than when he went in. There cannot be a worse quality of a punishment, than that it has a tendency to corrupt and deteriorate the individual on whom it is inflicted; unless, indeed, he is a prisoner for life; in that case, people of a certain temper might say, that making worse his disposition is a matter of little importance; and to them we have no time to make any reply.

'Most of those persons who come into prison as criminals, are bad, because they have hated labour, and have had recourse to other means than their industry for attaining the supply of their wants and the gratification of their desires. People of industry, people who love labour, seldom become the criminal inmates of a prison.

'One thing, however, is pretty certain, that men seldom become in love with their punishments. If the grand cause of the crimes which have brought a man to punishment, is his not having a love but hatred of labour; to make labour his punishment, is only to make him hate it the more. If the more a man hates labour, the more he is likely to act as a bad member of society; to punish a man with labour, and then to turn him out upon society, savours not of the highest wisdom.

'Besides, in treating labour as an instrument of punishment, call it

hard labour if you will, what sort of a lesson do you teach to the industrious and laborious class, who form the great body of your people? To those whose lot is labour, whose lot is hard labour, harder than any which it is in your power to impose? What compulsory labour is so hard as many species of voluntary labour?

'As an instrument of reformation, labour, as we shall presently see, is invaluable. As an instrument of punishment, hardly any thing can be conceived more exceptionable. That which is the source of all that mankind enjoy, that which is the foundation of every virtue in the most numerous class of the community, would you stamp with ignominy and dishonour, by inflicting it as a punishment upon the worst and basest of your people? Is this your expedient for rendering it, what every wise legislator would wish to render it, honourable, and thence desirable?'—pp. 8, 9.

The above objection to hard labour as a punishment is doubtless the most important, but Mr. Mill brings forward others which, although comparatively insignificant, are far from being undeserving of notice.

'It operates with more inequality than almost any other instrument of punishment that ever has been invented. The same degree of labour would kill one man, that to another would be only a pastime. From this source we may apprehend the most horrid abuses, in the continuance of those tread-mills. We may be very sure, that the most atrocious cruelty will often be inflicted upon those who, with strength below the average standard, are placed in those penal engines; while, in the case of those whose strength is much above that standard, they will hardly operate as a punishment at all.

'It is impossible that the judge can measure out this punishment; because the judge has not the means of ascertaining the relative strength of the parties who come before him. It must, therefore, be left to the gaoler. The gaoler, not the judge, will mete out and determine the degree of suffering which each individual is to undergo. The gaoler, not the judge, is the man who adapts the punishment to the crime.* Hence one of the stains which mark a careless and stupid legislation."—p. 9.

Heavy as are these charges against the tread-wheel in prin-

* The atrocities which could not fail to be committed under such a system when reduced to practice, have, at last, forced themselves upon the attention even of our legislators. Not that they have been led to discard hard labour, or more particularly the newly-invented and much-admired tread-wheel, as an instrument of punishment. They have been induced merely to appoint a surgeon for the purpose of assisting with his advice the gaoler while acting in the judicial capacity. A sudden cessation of atrocious practices would wear too much the appearance of a radical reform. The more "legitimate" course is, to cherish them with ardour, and, when the age will no longer patiently endure the same public exhibitions of atrocity as heretofore, to adopt contrivances, in order to render the exhibitions less appalling.

ciple, the tread-wheel in practice is still more open to animadversion. From the article in the Quarterly Review, we learn that to tread in the wheel in one prison is a very different punishment from treading in the wheel in another. "At Lewes each prisoner works at the rate of 6,600 feet in ascent per day; at Ipswich, 7,450; at St. Alban's, 8,000; at Bury, 8,950; at Cambridge, 10,175; at Durham, 12,000: at Brixton, Guilford, and Reading, the summer rate exceeds 13,000; while at Warwick the summer rate will be 17,000 feet in ten hours, if the present resolution be adhered to; which, upon reflection, we are quite sure it never will, as no strength could long endure such labour."—p. 419.

The Reviewer does not infer from this inequality that the tread-wheel is an improper instrument of punishment. He merely remarks, by way of refuting the attacks which have been made upon it, that "what may be very true of one wheel may be entirely false of another." We can help him to a suggestion, for which, perhaps, he will not be ungrateful. As by the variation between the wheels in different parts of the kingdom, it is difficult for judges to ascertain what degree of punishment they inflict, supposing, even, that all the convicts were exactly equal in strength, when they sentence them to hard labour for a given number of months, a change in the practice might be introduced which would remove this uncertainty. Let criminals henceforward be sentenced to the tread-wheel, not for a fixed number of days, but until they have completed a certain number of steps. The inequality in punishments will, by this means, be considerably diminished. At present they vary in severity, not only as regards the strength of the offender, but according to the latitude and longitude of the place where the offence is committed. If the punishment of the tread-wheel is obstinately persisted in, the alteration which we have suggested will at least remove the latter cause of inequality.

The consideration of any other species of punishment, in addition to those already noticed, would here be out of place. The grounds upon which we deem hard labour as a punishment exceptionable, have been stated. No mention is made by the Reviewer of any other punishment the infliction of which, in a gaol, he thinks would be desirable: we shall, therefore, close this division of our subject with the following extract from Mr. Mill:—

'The proper idea of a prison is that of a place of custody, and that alone. This idea ought to be clearly, and distinctly, and steadily preserved in the mind, in all disquisitions respecting prison discipline. Punishment and reformatory discipline, may be annexed to safe custody; and in as far as they consist of a series of operations, requiring time for

their performance, it is essential to them. As reformatory discipline consists wholly in such a series, imprisonment is a necessary condition of it. Since many, also, of the best kinds of punishment are not such as can be executed all at once, but require a period of time, imprisonment is equally necessary for these punishments. But though you must have safe custody to enable you to execute certain punishments, and also to enable you to carry into effect a course of reformatory discipline, safe custody is not the same thing with punishment, nor the same thing with reformatory discipline; and no conclusions can be depended upon, in which ideas so distinct are confounded.'—p. 12.

Having said all that our limits will permit upon the subject of punishment, it remains for us to consider in what way prisons may be made instrumental to the purposes of reformation. When a criminal is punished, it is desirable that three objects should be accomplished: 1st, that others should be deterred from committing offences similar to those of which he had been convicted: 2nd, that he himself should be deterred from a repetition of the offence; and 3rd, that his former bad habits should be removed and useful ones planted in their stead. The accomplishment of this last object is the purpose of reformatory discipline.

'As the creating and destroying of habits is the work of time, and as safe custody, and restraint from all indulgences, except under certain conditions, is necessary to reformatory discipline, whatever punishment is involved in such protracted coercion, is a necessary part of reformatory discipline.

'What is desired is, to create a habit of doing useful acts, break the habit of doing hurtful acts. To accomplish this, means must be obtained of making the individual in question perform certain acts, abstain from the performance of certain other acts.

'The means to be employed for producing performance cannot be of more than two sorts; the pleasurable and the painful. A man may be induced to perform certain acts, either by punishment, or reward. He may be made to abstain from performing certain acts by an additional means, by withholding the power of performing them.

'The latter is the means chiefly applicable for preventing the performance of hurtful acts in prisons; not only crimes, but acts of intemperance, gaming, or any others, the tendency of which is towards crimes. As this is nearly the universal practice, the reasons of it must be so generally known, as not to need repetition.

'The inquiry which chiefly calls for our attention is, what are the best means of producing the performance of those acts, the habit of performing which we desire to render so perfect, that it may be relied upon for the effect, even in a state of freedom?

'The persons on whom reformatory discipline is intended to operate, belong to the class of those who depend on their industry for their support. So nearly, at least, do they belong to this class exclusively, that the immaterial exceptions may, in this general inquiry, be omitted.

'The necessary foundation, in the case of such persons, not only for virtues, but for abstinence from crime, is the habit of performing some one of those series of acts, which are denominated lawful industry, and for which the performers obtain payment or reward.

'Labour, therefore, in some of its useful branches, is to be regarded as the foundation of all reformatory discipline. But as the object of this discipline is, to train the man to love not to hate labour, we must not render the labour in such a case any part of his punishment. The labour must, for this important purpose, be a source of pleasure, not of pain.

'The way in which labour becomes agreeable to men out of a prison, is the way in which it can be made agreeable to them in a prison; and there is no other. Advantages must accrue from the performing of it.

'The way of attaching to it advantages the most intensely persuasive, in a reformatory prison or penitentiary, is exceedingly obvious.

'There, it is easy to prevent the attaining of any pleasure, except through the medium of labour.

'What is provided in the prison, according to the principles already explained, is lodging, food, and clothing, all of the very cheapest kind, not producing injury to health. In the monotony of a prison, there is no one who will not intensely desire pleasure in addition to this.

'In the sentence of a criminal, who is subjected to reformatory discipline it may, and as often as the case requires, it ought, to be rendered a part, that he shall not be permitted to make any additions to this hard fare from any source belonging either to himself or others, except his labour; but that what he earns by his labour he may, in a certain way, lay out to procure to himself better food, or any other indulgence (certain hurtful ones excepted) which he may desire. Few cases, indeed, will be found in which this simple contrivance will not produce steadiness of application.

'We have now, then, attained what is of principal importance. For if we have got the inmates of a prison to labour steadily in some useful branch of industry, to look to labour as the great or only source of their enjoyments, and to form habits of so doing, sufficiently confirmed to be depended upon for the governing their conduct in a state of freedom, we have prepared them for being useful members of society, and our purpose is accomplished.'—pp. 13, 14.

As, however, it would not be desirable that the prisoner should derive from his labour the whole of what it produces, and thus be on a level with labourers who have committed no crime at all, Mr. Mill proceeds to explain in what manner arrangements might be made, so that criminals should obtain nothing more than what is just sufficient to induce them to work. Motives to exertion, independent of the enjoyment of a few comforts from the produce of his industry, might be brought to operate upon the prisoner. The intercourse with his fellow-prisoners might be less restricted during the hours of labour. Now if the whole of the produce of his industry be divided be-

tween him and the gaoler, with permission for the gaoler to retain what portion of it he pleases, the result of their arrangement will be, that the prisoner will obtain no more than what will be just sufficient, with the assistance of other motives, to stimulate him to labour. It is not the gaoler's interest to allow the prisoner more than what will stimulate him to labour, and as he cannot employ force, the contemplation of an attempt at any further reduction would be ridiculous. Mr. Mill then goes on to detail the other securities which might be taken for the good conduct of the gaoler and for the health of the prisoners. The principal of these securities is, the constant subjection of prisoners and gaolers, and of every thing relating to them, to public inspection, facilities for which are afforded by the admirable construction of the prison.

We are aware that we have given but a feeble and imperfect outline of Mr. Mill's plan of prison discipline. In the present, as in all the other admirable articles in the same work, from the pen of this eminent writer, the subject is exhausted; and were we to attempt to give a full account of prisons, such as they ought to be, in the shortest compass, our best course would be to copy the article itself. To that article, then, we refer every reader who wishes to possess clear ideas, and to entertain correct opinions upon the subject of prisons. We hope, however, that we have stated enough of Mr. Mill's plan, and sufficiently clearly, to enable every body to understand the bearing of such objections as may be urged against the method by which he proposes to work the reformation of criminals.

The writer in the Quarterly Review objects to the practice of making any allowance to prisoners out of the produce of their labour, as well as to many other arrangements which, according to Mr. Mill, are essential to a perfect plan of prison discipline. Our remaining space, therefore, will be devoted to the consideration of all the remarks, which, on a careful perusal of his article, we have thought might wear even the appearance of an objection.

After mentioning that it was the opinion of Sir George Paul that prisoners ought not to be allowed any portion of their earnings, he proceeds as follows:

"There can be no doubt that, by a system such as that of the Bury gaol, a more active industry may be produced among certain prisoners than they might otherwise be induced to exert; but we are satisfied that this must often be purchased by more than commensurate sacrifices. In the first place, it is impossible to confine this indirect species of reward to mere industry or orderly behaviour, as the indulgence must be regulated in a

great measure by the amount of the earnings; and, supposing an equal inclination to labour in any two individuals, yet if one has more skill than the other, or has had the good fortune to learn a more lucrative trade, or if the other has learned only a trade which he cannot or may not practise within the walls of a prison, the comforts of the two, with equal merit, will become decidedly unequal."—p. 409.

We shall not disturb the Reviewer in the enjoyment which he may derive from the support of Sir George Paul. The regulation of prisons, fortunately, is a subject, upon which the public are competent to decide without the assistance of any authority. Our attention will be confined to his opinions, and to the arguments by which they are supported. There is no doubt that the comforts of the prisoner would, in some measure, be regulated by the amount of his earnings; and what harm can there be in this? Mr. Mill takes effectual security that the prisoner shall not receive more indulgence than is sufficient to stimulate him to exertion. Suppose the gaoler is willing to allow every prisoner remuneration in proportion to his skill, will not the prisoner without skill be stimulated to acquire that which he sees adds so immensely to the enjoyments of his fellows? If the unskilled prisoner is thus induced to acquire skill, the gaoler likewise has every inducement to assist him in his efforts, since his profits will be thereby increased. The writer in the Quarterly Review seems to forget that in proportion as a man is skilful and laborious, he is unlikely to be the inmate of a prison. He does not appear to know precisely what he means by reformation. One of the chief merits of the plan which we advocate is, that the inducements to industry are increased ten-fold when the prisoner is discharged, for he then retains the whole of the produce of his labour. As to those who might happen to have learned a trade which could not be practised within the walls of a prison, in proportion as their deprivation was greater than that of others in prison, so would be the greatness of the transition from gaining a little to gaining a great deal by labour when the time of their liberation arrived. Hence, if possible, the motive to abstain from hurtful acts would be stronger with this class than with any other. The end of punishment is, to make it a man's interest to abstain from committing hurtful acts, and the end of reformatory discipline is, to make a man think that it is his interest to do so. Cavils may be raised against any plan, but the question is not whether a frivolous objection can be urged against any particular plan, but whether that plan is the best which has been, or which can be, devised.

"Mr. Holford, in the pamphlet before cited, asserts, 'that the prisoners whose labour is most productive in the penitentiary at Millbank, are not those whose behaviour entitles them to most consideration, or of whose eventual restoration with credit to society the chaplain entertains the most favourable expectation.'"—p. 409.

One would fancy, by this extract, that the plan of voluntary labour had been adopted at the Penitentiary at Millbank. But the penitentiary system in England, as we gather from another part of the article, professes to provide "labour of the hardest and most servile description." This labour is forced, and if the prisoner is "refractory" he is punished by solitary confinement. The tendency of this discipline must be, as Mr. Mill observes, to make a prisoner hate, and not love, labour. And yet because the most productive labourers under such a system, are not the best, it is to follow that the most productive labourers would not be the best under a system the object of which is to train a prisoner to look upon labour as the source of all his enjoyments. But, passing over this trifling discrepancy, what evidence have we that the most productive labourers "are not those whose behaviour entitles them to most consideration?" The chaplain's opinion to be sure! Verily, the chaplain's opinion may be evidence sufficient for Mr. Holford and the Quarterly Reviewer, but it will not stop our craving for the ordinary evidence required on such occasions. Is it found that those prisoners whose labour is most productive are more frequently recommitted than others? Are they convicted of fresh crimes after their liberation? Or in what way is it found that their behaviour does not entitle them to consideration? Upon these points we are kept entirely in the dark. A chaplain of the Established Church, we suppose, a fellow-labourer of a Buckinghamshire magistrate, would wish to detain a dissenting prisoner until he had made him perfectly orthodox. A hard-working methodist, a hard-working unitarian, a hard-working jew, or a hard-working deist, who might quit the prison, would not be likely, in the chaplain's estimation, to be restored "with credit to society." We pray that we may not be confined to an orthodox clergyman's testimonies of moral worth, either to the advantage or disadvantage of any of our fellow-creatures.

"It is obvious, indeed, that a system of this sort must be unfavourable, in many respects, to the reformation of the prisoners; its tendency being to confirm in the habit of looking to immediate self-indulgence as the motive for action, men who have already found that motive too strong for their prudence or their conscience."—p. 419—20.

Now this is profundity with a vengeance. The tendency of a system which trains criminals to look to lawful industry as the source of all their enjoyments is to confirm them in the habit of looking to immediate self-indulgence as the motive for action—the motive which has already been found too strong for their prudence or their conscience. We are puzzled to discover what this writer means. We would ask him, whether the motive of self-indulgence, which induced him to write his article, can be said to make him in any way criminal? Certainly not. But the same motive, supposing it had induced him to forge a £20 note, would in that case be said to be criminal. It must be evident to any body, on a little reflection, that the criminality does not lie in the motive, it lies in the act. Two poor men want a supper at night, one rises in the morning, pursues some useful occupation, and with the money which he earns purchases a loaf of bread. The other picks somebody's pocket of his handkerchief, pledges it with a pawnbroker, and purchases one likewise. Where is the difference in their motives? As it appears to us, the motive with both is the same desire of "immediate self-indulgence." But the mode of gratifying this desire is praise-worthy in the one, criminal in the other. The course for the legislator to pursue is plain and straight forward. He awards a punishment for the criminal act, which punishment presents a motive (not a bad one we hope) to the various members of the community to refrain from committing it. Still further, the legislator ought to eradicate from the criminal his vicious habits, before he lets him loose again into society; and this can only be done by implanting in him a love for labour, by associating it in his mind with the pleasure of its fruits.

The Reviewer next directs his attacks against the *cheerful* activity which, under such a system, would prevail within the prison walls. How easy it is to affix an epithet! The dread of cheerful activity in a prison could only be present to the mind of a person who has not yet learned to distinguish between punitory and reformatory discipline. The very object of reformatory discipline is to make a prisoner, surrounded by privation, look to labour as the source of every thing calculated to cheer him. When the punishment, inseparable from reformatory discipline, is not commensurate with an offence, let the necessary additional punishment be inflicted. We are no friends to the impunity of crime. All that we desire is, that two purposes so distinct as punishment and reformation should not be confounded.

"It is to mistake the means for the end, when prisons are estimated by the cheerful activity of the labourers, and the

quantity of productive labour within their walls. A prison ought to be a place of terror to those without—of punishment to those within; let us reform criminals if we can—it is a great and glorious object, uncertain in the result, but imperative in the obligation. Punishment, however, is certain; and it is one mode of punishment, severely felt by those who have led a life of self-indulgence, but unattended with any cruelty, to tie them down to a coarse, uniform diet."—p. 410.

Not to dwell upon this new crime of self-indulgence, of which the Reviewer, we suppose, like the rest of us, is sometimes guilty, for all men have a propensity towards that deadly sin, we will request the reader to call to mind some of our former observations. A prison ought to be a place of safe custody. Whatever punishment, in addition to the loss of liberty, may be inflicted upon those confined there, ought to be superadded by the judge. Loss of liberty alone is severely felt by all and disliked by all. Beyond this, a prison ought *not* to be a place of terror.

A sentence in another part of the article leads us to the writer's meaning. "Those salutary ideas of loathsomeness and misery, which men associate with a gaol, and which naturally tend to the prevention of crime, cannot fail to be much weakened by a sight of the cleanliness and order, the decent apparel and seeming comfort, which are found within the walls."—p. 413.

About prisons, as about every thing else, we wish that the truth should be known. If a prison is properly managed—if the reformation of criminals is provided for, and the public are persuaded of the fact, they who break the laws will have less chance of escaping the punishment which they deserve. Numbers of them daily escape in this country, because it is generally believed, and with truth, that an English gaol is a place of demoralization, not of reformation. The considerate portion of the public shrink from the idea of being accessories to the conversion of a petty offender into a hardened villain, or the visiting a youthful failing with the punishment of loathsomeness and disease. Thus, criminals escape, and crime spreads its baneful influence throughout society. The Quarterly Reviewer may be assured that the public, in general, turn from the idea of loathsome prisons with horror and disgust; and that they are prepared to endure much rather than subject an offender to a species of punishment excruciating to him, and unprofitable to the community. Game-preservers may like loathsome prisons, as fit instruments to assist them in wreaking vengeance upon their victims. But it is not the wish of all

classes that prisons should be instruments of vengeance. There are some who desire to see them made subservient to a plan of something like effective reformation.

The following extract may pass without comment:—

"All should be confined to the same prison allowance, qualifying the rule in individual cases according to the directions of the medical officer of the prison; and, if any other variation be allowed, we should prefer the indulgence being granted as the reward of ORDERLY behaviour, to the regulating it by the amount of the prisoner's earnings."—p. 411.

From what we can understand of this writer's plan of reformatory discipline, he seems to confine himself to one consideration—How to make the prisoner uncomfortable. He seems to have no ulterior object in view beyond that of making a prisoner hate his place of confinement. Restricting ourselves to this consideration, we think we have said enough to show, that this end could hardly be obtained in a more mischievous manner than by means of hard labour. The only other means which present themselves are those which conduce to loss of health, and these the Reviewer himself is sufficiently enlightened to reprobate. English gaols are replete with specimens of the perfect compatibility of excess of suffering with excess of depravity. The principle of asceticism, when at length given up, will not have been discarded without ample trial. Our legislators are not fond of innovation, because innovation *may* produce mischief; they are very loth, nevertheless, to amend that which actually *does* produce it.

We must, however, do the Reviewer the justice to allow that if he is parsimonious of some kinds of indulgence to prisoners, he is very liberal with others. "The inmates of a gaol require, and they will hence forward receive, even more minute and constant (religious) attendance than the poor of the most favoured parishes."—p. 412.

Ought we not to fear, lest this indulgence should have a deleterious effect upon the poor of the least-favoured parishes, and make them anxious to become inmates of a prison in order to partake of it? This writer, with the best intentions, is certainly no conjuror. He has yet to learn, it appears, that a little good management is much more likely to work a reformation than a great deal of preaching. A convict may sing psalms in tune, and repeat his prayers in a sonorous tone, and, nevertheless, quit his confinement with a great indisposition to labour. And there is always reason to expect that a poor man, with a detestation of labour, even supposing him to be a good psalm-singer, may be so unfortunate as to mistake his neighbour's pocket for his own.

In the dearth, even of plausible objections, to the plan by which it is proposed to make labour a source of enjoyment not of suffering to the criminal, the Quarterly Reviewer, under cover of a quotation from Mr. Holford's pamphlet, remarks upon certain mischiefs quite unconnected with that plan, but which he fancies to be inseparable from it. Persons would be brought together for the purposes of manufacture, who, for the purposes of reformation, ought to be kept asunder. This assumption is perfectly gratuitous. Mr. Mill shows that the gaoler would have a strong interest in properly classifying the prisoners; and here again the pre-eminence of Mr. Bentham's plan shines forth. If Mr. Holford's observations are directed against what might happen in the existing description of prisons, we cannot be called upon to refute them, since prisons at present are in our opinion managed on a plan quite the reverse of good; although we should be perfectly justified in saying that nothing worthy of the name of a reason has been adduced to show that classification might not be just as well attended to where the prisoners are allured, as where they are forced, to labour.

'In a prison, such as we have described, in which, by means of moveable partitions, the cells may be enlarged or contracted at pleasure, and in which the prisoners are all under continual inspection, the power of separation, to any desired extent, is complete.

'The two sexes, though inmates of the same prison, and simultaneously subject to the same inspection, may be as completely disjoined as if they were inhabitants of a different region. By a piece of canvas, and nothing more costly, extended in the form of a curtain, from the boundary on each side of the female cells, in the direction of a radius across the central area to the inspection lodge, the females would be as completely cut off from seeing, or being seen by the male prisoners, as if they were separated by seas and mountains; the same effect would be obtained as to hearing, by merely leaving a cell vacant between those of the males and females; and thus, the space appropriated to each of the two sexes might, in the easiest manner, be diminished or enlarged, as their relative numbers might require.

'A much more complete and desirable separation than that which is aimed at as the utmost in other prisons, is easily attainable in this. The ordinary separation of young offenders from old, of the greatly corrupted from those who are presumed to be less deeply infected, is still apt to leave associations too promiscuous, and too numerous, not to be unfavourable to the progress of reformation.

'The prisoners should be put together in companies of twos, and threes, and fours, seldom more; each company occupying a separate cell. It would be the interest of the gaoler to put them together in such assortments as would be most conducive to the quantity and value of work they could perform, and to the goodness of their behaviour; that is, to the most perfect operation of the reformatory discipline; and

his experience of their dispositions and faculties would, of course, fit him beyond any one else for making the selection'—p. 22.

But the Reviewer does not approve of the gaoler's having any share of what is produced by the labour of the prisoners. "Wherever the prisoners are employed with a view to profit, one rule we deem quite indispensable—it is, that the keeper, he who is to regulate the discipline and watch over the behaviour of the prisoners, should not be permitted in any way, directly or indirectly, to share in the produce of their labour. Wherever he is, his interest and his duty are set in opposition to each other in a thousand supposable and probable cases; it is enough to say, that his eye will, in all probability, be fixed on the skill and activity, rather than the orderly behaviour of his prisoners"—p. 418.

As we are not informed what these thousand supposable and probable cases are, and do not know precisely what meaning is attached to the words "orderly behaviour," we can only repeat that no classification, as it appears to us, can be so well adapted to the purposes of reformation as that which is calculated to call forth the highest degree of skill and activity. Skill and activity directed to lawful pursuits will be the strongest securities for the "orderly behaviour" of the criminals when they are once more restored to liberty.

The minuteness with which we have noticed all the objections to Mr. Bentham's plan of reformatory discipline, may, perhaps, have exposed us with some appearance of justice to the charge of tediousness. But it is of importance that the characteristic distinctions of this plan, and the nature of the arguments by which it has been assailed, should be generally known. One additional remark will show that nothing has been omitted which could tend to make the work of reformation complete. It is well known how difficult it is for a criminal, when discharged, to procure employment. The chances of his reverting to his former evil practices are not a little increased from this one cause. To meet this difficulty, Mr. Bentham proposes that a subsidiary establishment should be annexed to the prison, where admittance may be granted and employment furnished, when demanded, to all whose term of confinement had expired.

We have thus considered prisons as places of safe custody, places of punishment, and places of reformation. We have only one further topic to consider, a topic which is intimately connected with each of the foregoing. It is evident that, in order to make prisons efficient for the purposes which we have described, some securities must be taken from the various

officers appointed, for the due performance of their respective duties. The Quarterly Reviewer does not bestow a thought upon this subject. He seems to think that persons vested with power never will abuse it; that officers appointed to situations can have no desire to earn their salaries without troubling themselves concerning the performance of the duties of their office. He assumes, that magistrates will have discretion and humanity [p. 420], and dwells with delight upon unpaid management [p. 428]. He tells us, likewise, that no plan "will succeed without the co-operation of a willing magistracy—in them lies the true virtue of all systems; they must encourage, control, and inspect; they must appoint efficient officers, uphold them, stimulate them, and reward them—without this the best enactments will become a dead letter, and to induce this, they must not be made mere instruments, but be intrusted with a sound and liberal discretion"—p. 421.

We agree with him, that no plan will succeed without the co-operation of a willing magistracy; but we should argue that that plan must necessarily be imperfect which does not secure such co-operation. The only mode, with which we are acquainted, whereby their co-operation for any good purpose can be secured is, by giving them an interest in the good management of the prison, not by intrusting them "with a sound and liberal discretion."

A sound and liberal discretion! Such, in the vocabulary of aristocracy, is the elegant synonyme of irresponsible power. Can it be necessary to repeat at this time of day, that irresponsible power will always be abused? We do not suppose that our corps of unpaid magistrates are worse than other men. Their actions show that they are no better. We presume, merely, that the same motives by which other men are actuated, actuate them. With regard to these motives, there is nothing more true than that they always lead a man to seek his own happiness; but it depends upon the situation in which a man is placed, whether he will be induced to seek that of others. The skill of the legislator lies in so ordering matters, that every public functionary shall be supplied with a strong motive to perform well the duties of his station.

By the law of England the unpaid magistrates are the supervisors of the larger portion of the gaols of the kingdom. And, unfortunately, the motives with them for a due performance of their duties are very weak. It is no part of our present business to point out in what manner magistrates ought to be appointed and controlled. It is sufficient for us to show, that the Panopticon prison affords, in an eminent degree, one species of

security against the ill-performance, or non-performance of magisterial duties; and that is publicity. As all other securities, without publicity, would be of no avail, so, in the absence of all other securities, it is to publicity that we must look as our only available check upon those who are armed with irresponsible power. When a magistrate acts, unrestrained by any direct control, the only safeguard against oppression, left to the public, is the liberty of commenting upon his conduct. The advantages which the public have derived from this liberty, have, of late, been sufficiently manifest. But liberty to comment upon the conduct of magistrates, without the means of knowing what that conduct is, would be useless. Now, the peculiar construction of the Panopticon prison admits of free ingress and egress by any numbers, without the least disturbance of the business of the prison. If prisons of this description were once erected, and were considered open to public inspection, on the same principle as courts of justice, the conduct of magistrates, gaolers, and prisoners, would be constantly subject to the public scrutiny. The magistrates and gaolers would be improved by public inspection, and the public would be improved by the example of the punishments inflicted. In existing prisons, the improvement which might be derived from each of these sources, is totally lost.

The use of publicity in a prison, as in a court of justice, is, that the public may obtain correct information concerning the conduct of their servants. To leave to these servants the power of determining whether this publicity shall be granted or not, appears in the highest degree absurd. The officers over whom a check is wanted, are to determine whether the check shall exist! But this is precisely the situation of the unpaid magistracy. The control of public opinion is essential to the good management of prisons, by the influence which it exerts over the conduct of magistrates; and yet, in the quarter sessions, that is in the magistrates themselves, is lodged the power of granting or refusing admission to them. It is allowed, that a court of justice, inaccessible to the public, would be the scene of every species of profligacy and oppression; and may we not be permitted to make the same surmise with regard to prisons? Nay, further, would not the actual state of prisons justify us in asserting that they really are so? Mr. Mill has given a correct and animated description of a prison, where the securities for good management have been disregarded.

'It is sufficiently evident, that the gaoler has an interest in obtaining his salary, and other emoluments, with as little trouble to himself as possible.

'It is not less evident, that the magistrates have an interest in getting the power and credit, attached to their office, with as little trouble to themselves as possible.

'This is enough. The book of human nature is clear upon the subject. This principle, at uncontrolled work in a prison, is perfectly sufficient to generate all the evils which those abodes of misery can be made to contain.

'It is undeniable, that so far as those, who thus have the superintendence of gaols, are disposed to consult their ease, and to perform negligently a troublesome duty, which they may perform well or ill, just as they please; so far they will be indisposed to listen to any complaint against the gaoler. It saves them a good deal of trouble to confide in the gaoler. They speedily come, therefore, to look upon confidence in the gaoler, and to speak of it, as a good thing, a duty. "Has not the gaoler been most carefully and judiciously selected for his office, by wise and good men? (viz. ourselves). Would it not be an injury to a man of his character to distrust him? And to distrust him —for what? For the complaints of prisoners. But prisoners are always complaining—always giving trouble. Gaolers are a good set of men. Prisoners are a bad set of men; especially complaining prisoners. They are the very worst kind of men; they are, therefore, to be silenced: and it is often very difficult to silence them; nothing but harsh measures will do it: when harsh measures, however, are absolutely necessary, it is the duty of gaolers to use them, and the duty of magistrates to protect such men in the discharge of so important a duty."

'Such are the feelings and conclusions which are undeniably prompted, by the mere love of ease, in the bosoms of such men as English magistrates.

'So far as the magistrates consult their ease (men generally do consult their ease when they have not a preponderating motive to the contrary), the gaoler is at liberty to consult his ease.

'In the gaoler's consulting his ease, every thing that is horrid in a prison finds its producing cause.

'What the gaoler has chiefly to guard against is, the escape of his prisoners, because that is a result which cannot be hidden, and will not escape animadversion. But the love of ease prompts him to take the easiest means for this purpose, locking up in dungeons, loading with irons, and prohibiting communication from without: in other words, all the measures which are the most tormenting to the prisoner. If the prisoner, confiding in his ingenuity or his strength, makes any attempts to free himself from this misery, by escaping, the disturbance which is thus given to the ease of the gaoler is a cause of pain, proportional to the love with which he cherishes his ease; this pain excites resentment, resentment calls for vengeance, and the prisoner is cruelly punished. The demon despotism reigns in his most despotic form.

'This is only one half of the evil. The servants of the gaoler, the turnkeys, as they are called, and others who wait upon the prisoners, are as fond of their ease as the gaoler is of his. If the gaoler has not adequate motives to make him take care that the business of the prison is well

done, he will repose the same confidence in his servants, which the magistrates so liberally exercise towards him. He will leave them to indulge their ease, as he could not do otherwise without disturbing his own.

'From the servants of the prison indulging their ease, neglect of the prisoners is the immediate and unavoidable consequence. From neglect of prisoners, that is, of men placed in a situation destitute of all the means of helping themselves, all those evils, which, in another situation, could be produced only by the most direful oppression, would immediately ensue.

'By the servants of a gaol cherishing their ease, and left by their superintendents to do so, every call of a prisoner for help, for relief from any annoyance, is felt as an injury, and resented as such. Cruelty speedily comes, as a co-operator with neglect, to fill up the measure of the prisoner's calamity.

'The prisoner, finding himself destitute of all remedy, except he can prevail upon the people who approach him to remove some of the causes of the misery which he endures, has recourse to bribery, when he can possibly command the means; and then pillage, without limit, and without mercy, is added to all the evils of this den of horrors.'—p. 15—17.

Here we should have closed our remarks, had it not been for some reflections of a personal nature which have fallen from the writer in the Quarterly Review. Personalities never throw any light upon the subject under discussion; and are generally employed by the party who is weak in argument, to distract the attention of those who are to arbitrate between him and his antagonist. In this case they were altogether uncalled for. But much as we dislike the occupation of noticing personal reflections, we shall never, when we think it necessary, be found backward in repelling the attacks of the malignant, or in exposing the ignorance of the uninformed. Our present employment will be of the latter description. We will first, however, lay before our readers the entire paragraph in which the personal reflections alluded to are contained. They will then be able to form an opinion upon their justice.

"In 1793 or 1794, Jeremy Bentham's Panopticon attracted a good deal of attention; Sir William Blackstone and Mr. Eden again interested themselves in the subject, and the 34 Geo. 3, c. 60 was passed; under this act fifty-three acres in Tothill Fields were purchased for 12,000*l.*, and conveyed to Mr. Bentham, and he also received 2,000*l.* from the Treasury, to enable him to make preparations. It can hardly be doubted that Sir William Blackstone and Mr. Eden, in coming forward at this time, thought they were advancing their favourite design of a Penitentiary, but, in truth, the statutes of the 19 and 34

Geo. 3rd were totally inconsistent with each other; the Panopticon was not only not a Penitentiary, but its principle was directly opposed to it. It was fortunate for the country that this also fell to the ground; we do not desire to go out of our way to say any thing harsh of Mr. Bentham, as the inventor of a prison system, and we by no means intend to insinuate that he dealt with the government on illiberal terms; but *his scheme appears to us to have been wholly visionary—to have been without any proper checks, or lasting securities, relying solely on his own personal character, abilities, and responsibility; and addressing itself to the reformation of criminals upon principles unsound and unphilosophical. If it had been tried* IT COULD NOT HAVE SUCCEEDED, *and, in its ill-success,* MIGHT *have ruined, or, at least, indefinitely retarded the progress of the great cause of Prison Improvement.*"—p. 427, 428.

If the above criticism upon Mr. Bentham's plan had been preceded or followed by any arguments in proof of its correctness, we should have had no ground for animadverting upon the author. He would have formed one conclusion—we should have formed another; and each would have supported his conclusion with the reasons by which he was guided in forming it. But it so happens, that all the mention made by the Reviewer of Mr. Bentham, or of the Panopticon, is confined to this single paragraph. Having laid down a "few principles," of the soundness of which he does not appear to entertain a doubt, he could not refrain from making use of the reputation for philosophical deduction, which he took it for granted he had established by the profundity of his views, in order to destroy that of others. We have endeavoured to give our readers some idea of what the Panopticon really is. It was hardly fair in a writer so profound and so philosophical, to leave this task to us. He ought to have been aware of the tremendous consequences of censure from so high an authority, and, by an exposition of the system itself, might have left the public the chance of discovering some grounds of extenuation in favour of one who had been so unfortunate as to incur the weight of his displeasure.

As, however, the Reviewer's censure is general, let us endeavour to detect the "unsound and unphilosophical" points in Mr. Bentham's system. A system may be said to be founded upon philosophical principles when no possible arrangement is omitted, by which the end of that system may be secured. The end of every system is a certain effect. But effects are always preceded by particular causes. It is the province of the philosopher to point out what those causes are, and to separate them from causes which would be followed by different

effects—effects which it is desirable to avoid. Now, the end of imprisonment is safe-custody. With safe-custody, as we have seen, may be united punishment and reformation; the end of punishment, being, not to torture the criminal, but to deter others from committing any of those acts for which punishment is awarded. The securities which Mr. Bentham provides for the production of the several effects essential to these different purposes have been explained at length. The principal are publicity, allowing the prisoners to derive profit from their labour, and giving the gaoler an interest in the good behaviour, health, and industry of the prisoners. These various causes, in full operation, will, Mr. Bentham contends, produce the desired effects. He does not allude to any reliance upon "his own personal character, abilities, and responsibility." We doubt much whether the Reviewer knows any thing of Mr. Bentham, or of the Panopticon, beyond the names.

Well! well! we may be wrong. The Reviewer may be more profound, more philosophical than we imagine. He may have studied Mr. Bentham's "prison system." He may have had a clear view of its defects; and, in laying down his "few principles," he may have determined that nothing should rest upon "his own personal character, abilities, and responsibility." At all events, having discovered that Mr. Bentham's system was unsound and unphilosophical, he would take care to avoid any thing bordering upon the unphilosophical in his own. We will not imitate this Reviewer. We will not pass sentence upon his system without examination. We will endeavour to extract from his "principles" the means by which he proposes to provide for the punishment and reformation of criminals, and for the good management of prisons. For the purposes of punishment and reformation, hard labour is the general instrument recommended—treading in a wheel the species preferred, because it is "irksome in endurance, and remembered with disgust;" and, "it has never failed to subdue the most turbulent spirit." In penitentiaries provide labour of "the hardest and most servile description," in order to "inure the prisoners to habits of industry." A little solitary confinement may "force the mind to consider what it is which has caused his imprisonment;" and by this means "it is hoped that his mind cannot but turn in upon itself." The securities for good management may be summed up in very few words: allow the gaoler to have no interest at stake, and place unlimited confidence in the visiting magistrates, the chaplain, and the Quarter Sessions. There are one or two of the axioms of this philosophical writer which, for their profundity and originality, ought not to remain unnoticed.

"Much as we are advocates for industry in prisons, and economy of public money, we think *both may be purchased too dearly.*"

"The best economy is in that system which produces the fewest re-committals, and prevents the most crimes."

Here we must take leave of the Quarterly Reviewer, as well as of his philosophy—a philosophy *sui generis*—if philosophy it must be called. Truly, the situation of this Reviewer is most unfortunate, much more deplorable even than that in which he supposed Mr. Bentham to be placed. Mr. Bentham, divested of philosophy, might rely upon "his own personal character, abilities, and responsibility." But the Reviewer, alas! upon what can he rely? Concerning his "personal character" and "responsibility," we are entirely in the dark. As to his "abilities," if we are to judge from his article, they will scarcely enable us to dispense with "proper checks," or "lasting securities."

ART. VIII.—1. *A Statistical Account of the British Settlements in Australasia; including the Colonies of New South Wales, and Van Diemen's Land, with an enumeration of the advantages which they offer to Emigrants, as well with reference to each other, as to the United States of America and the Canadas: and directions and advice to Emigrants.* 3rd Edition: *with an Appendix, containing the Acts of Parliament, and other documents relating to these Settlements;* Embellished with new Maps and a view of Sidney. In 2 Volumes 8vo., by W. C. Wentworth, Esq., a Native of New South Wales. Whittakers. 1824. pp. 901.

2. *An Account of the Colony of Van Diemen's Land, principally designed for the use of Emigrants.* By Edward Curr, 12mo. 1824. Cowie and Co. pp. 207.

3. *Sketches of Upper Canada, Domestic, Local, and Characteristic: to which are added Practical Details for the Information of Emigrants of every Class: and some Recollections of the United States of America.* By John Howison, Esq. 2nd Edition. 1822. Oliver and Boyd, Edinburgh. 8vo, pp. 353.

4. *The Emigrant's Note Book and Guide; with Recollections of Upper and Lower Canada, during the late War:* By Lieutenant J. C. Morgan, H. P. Late 2nd Battalion, R. M. Longman, and Co. 1824. 12mo, pp. 348.

5. *A few Plain Directions for persons intending to proceed as Settlers to his Majesty's Province of Upper Canada:* By an English Farmer settled there. With a Map. Baldwin, Cradock, and Joy, 1820. 12mo, pp. 100.

6. *Talbot's Five Years' Residence in the Canadas.**
7. *Excursions through the United States and Canada.*†
8. *Hodgson's Letters from North America.*‡
9. *A Summary View of America :*|| *Containing a Description of the Face of the Country, and of several of the Principal Cities: and Remarks on the Social, Moral, and Political Character of the People: being the result of Observations and Inquiries during a Journey in the United States.* By an Englishman. Cadell. 1824. 8vo, pp. 503.

THE object of this article is, to assist the determination of those who are discussing with themselves or others the subject of emigration. We wish to enable them to satisfy themselves whether they ought or not to emigrate; and, if satisfied that they ought, to fix on that country which will suit their particular case and circumstances best, and secure to them as few of the evils and as many of the advantages of emigration as possible. When the circumstances of a person are such as to compel him to leave his country, or to sink in society, or even to starve at home; or when he has made up his mind that he ought to emigrate, all appeals to his patriotism will prove, as they ought to prove, useless and unavailing. And, indeed, at present they cannot well be made, when government is encouraging and assisting emigration with much earnestness, if not in the wisest manner for themselves, or the most beneficial for the emigrant. But no opposition being made to emigration itself, intermeddling persons who would be deemed patriots, and who do not know that wisdom as well as right feeling is indispensable to patriotism, perplex and worry the intending emigrant by declaiming against his going to any foreign state, which may be involved in war with his own country, or may become its commercial rival.

Probably these declamations would have no effect on the actual determination of the emigrant; but as every man clings in prospective feeling to his native country with a warmth and force that, till he was about to leave it, he, perhaps, never experienced, and is naturally anxious to take with him the good opinion and good wish of all his friends; it may be acceptable and useful to supply him with arguments by which he may convince them that he ought not to forfeit their good opinion or be deprived of their good wishes, because he is going to emigrate into a foreign state.

He may become the inhabitant of an Enemy's country:—

* See Westminster Review. Vol. 2, p. 566. † Ibid. Vol. 1, p. 101.
‡ Ibid. Vol. 2, p. 170. || Ibid. Vol. 3, p. 283.

mere possibility ought not, and will not weigh with him: there is an equal chance, to whatever foreign state he removes, that this state will remain in amity with his native land, at least for as long a period as man does and is bound to anticipate in regulating his conduct. We may as well, at once, give the apprehended evil a local habitation. Do not emigrate to the United States for they may be at war with Great Britain. We would fain persuade ourselves, that the dreadful evils war produced during the last half century, and the present experience of the necessity, as well as of the substantial and increasing benefits of peace, will preserve Britain and the United States in amity for many years. War may, and it is probable will, come again; but it is by no means probable that it will take place, and it is highly probable that peace will be preserved, within that period, beyond which no man does or ought to go, for the motives and the reasons of his conduct.

The United States possess inexhaustible tracts of fertile land: nearly all that labour and skill can produce from it is clear gain; and to render it productive, little more than labour and skill are requisite. This, then, is the path to independence marked out by the hand of nature: the United States are an agricultural country, and it is the natural tendency of her circumstances, to render at least the emigrant portion of her inhabitants exclusively agriculturists. Let us look at her tendency to become a manufacturing country, so as to rival Britain: her territory is great, her capital small, and the greater profit to be derived from the cultivation of the land will, for a long time, make her an agricultural nation.

It is unnecessary to contrast the circumstances of Britain; they are decidedly such as prevent her from being the rival of the United States in agriculture, and the United States hers in manufacture; and point them out as reciprocally the best customers for each other.

What becomes then of the cautionary advice to the intending Emigrant. Do not emigrate to the United States, because, though there you may thrive better and sooner than any where else, you will become the inhabitant of a country that is endeavouring to rival Britain in manufactures. The reply is direct, simple, and conclusive: my sole consideration ought to be my own real interest; all new countries must be good customers to Britain, who can sell her goods of every description, and every quality, at the lowest price. The sooner and the better I thrive, the earlier and better customer I shall become to her; rest satisfied, therefore, that, if it be for my interest to emigrate to the United States, it is for the interest of my native country,

as a manufacturing country, that I should emigrate thither. The consideration therefore of my own interest embraces every consideration which attachment to my native land, and anxiety to retain the good opinion, and good wishes of my friends demands.

The state of the emigrants at the Cape, contrasted with that of those in New South Wales, Canada, and the United States, is directly in point, and pregnant with instruction. Those at the Cape are a burthen on Britain; those in the other settlements are daily becoming better and better customers for her manufactures. A rich customer is preferable to a poor one; a poor one to a person whom we must support: if emigrants to the Cape require support, it cannot be good for them, nor for the country that supports them; if emigrants to Canada, or New South Wales, thrive sooner and better than emigrants to the United States, it is better for them, and for Britain: and the same, in the supposition that emigrants to the United States thrive sooner and better than those to Canada, or New South Wales. The question, whether the place of emigration is one of our own colonies or not, should not weigh one scruple, when put in the balance with the interest of the emigrant: or rather, the real interest of his native country, identified as we have shown it to be with his individual interest, should alone be regarded, to the exclusion of all consideration, whether the place of emigration be one of our own colonies or not.

The intending emigrant, supplied with this reply to the well-meant, but short-sighted remonstrance of his friends, can settle and direct his thoughts to the main inquiries, with more collectedness and satisfaction. He has also an advantage at present, in as much as the *rage* for emigrating has subsided; and this country is in such a state, that apprehensions lest its fate should involve him in ruin, can no longer be reasonably entertained.

While the rage for emigration lasted, exaggerated advantages and evils were poured into the ears of the intending emigrant, who, himself under the influence of the same rage, was incapable of arriving at the truth, even if the statements had not been exaggerated. All this has in a great measure subsided; unprejudiced, if not more accurate, accounts are given, and they are received by much more cool and dispassionate minds.

Of his own feelings, circumstances and prospects, every man is a much better judge than he possibly can be, either of the present state, or prospects of his country; but all, in deciding on their own measures, naturally permit the consideration of public affairs to influence them. Hence, during the fever of

alarm for the country, which was so prevalent and infectious a few years ago, many persons who were well off, and likely to increase in prosperity, so far as their own means and prospects could justify such an anticipation, determined to emigrate, solely from the apprehension, that all they had, or had a right to expect from their individual exertions, skill and capital, would be swallowed up in the ruin of the country. No such apprehensions existing at present, intending emigrants can look to those points, to which they ought to direct their undivided and exclusive attention and inquiry—What they are, and are likely to be here at home, and what they are likely to become if they emigrate. Our general conclusion therefore is, that an intending emigrant, by confining his thoughts and inquiries to his own real state and interest, will not only best consult that interest, but most benefit his native country.

In all cases, under all circumstances, to whatever country, emigration is an immediate and positive evil; the magnitude and duration of the evil may be greater or less, the compensating advantages may arrive sooner or later, but the evil is immediate and positive; all intending emigrants must be aware of this; but there is a wide difference between the influence of a vague and shapeless evil, and one defined and embodied, both in settling the question, whether it ought to be encountered, and, if it ought, or must, in preparing the mind for the encounter. As we apprehend, that few intending emigrants can, or will, give to the positive and immediate evils of emigration, their due magnitude and shape, we shall employ a few words for this purpose.

It is unnecessary to dwell on the separation, probably for ever, from their nearest relations, and their most valued and affectionate friends; as the mind must be weakened, and not strengthened by the anticipation of these evils, they ought to be contemplated as little as possible, after they have been weighed along with the other evils of emigration, and been deemed not equivalent to its probable advantages. But, besides these, there is the total or partial dislocation of long-established associations and habits, from which he ought gradually to wean himself while in his own country, in order to break the force and shock of a very sudden and violent change; plain and humble food and drink, such as he is most likely alone to procure where he is going; constant, hard, and regular labour, uncherished and unsupported by any of those indulgencies which are here deemed necessary—in these and some other points he may, and ought to assimilate his habits to those he must assume in the country of his emigration. He must expect to

live for years, crowded and incommoded, if he has a family, in a very small and inconvenient log-house, probably, notwithstanding all his labour and care, pervious to the cold and rain, and wind, and oppressively hot in summer. He cannot, while in his native country, actually break down his habits to the endurance of such a habitation; but he may, and ought to gain as accurate and full idea of it as he can, in order that his thoughts and feelings may be used to the contemplation of it, and that he may consider well, whether he can endure this evil, and how he can best meet, or alleviate it.

If he has not a grown-up family, he must either take out labourers, or procure them on his arrival: he ought to regard it as a highly probable evil, that those he takes out, will leave him as soon as they can do better for themselves, which, in all new countries, will be long before he can dispense with their services; most likely, while his difficulties are still at their height. In this case, or if he does not bring out labourers with him, he must take those of the country; in New South Wales, convicts, and in convicts no person is warranted to expect safe, comfortable, or useful servants: they may prove such, but the reverse ought to be anticipated, and taken into the account by the intending emigrant; in Canada and the United States, the wages of labour are excessively high, where it can be procured, and high wages and cheap land, acting on the natural love of independence, will soon deprive him of his labourers.

What is good and bad society depends fully as much on the opinions, feelings, and habits of the person introduced into it, as on its real and positive character: actually vicious and profligate, as well as grossly ignorant society, he should, of course, avoid; but he must prepare himself to encounter the evil of a state of society, very repugnant in many respects to what he has been accustomed to. People collected from various nations and classes, placed in circumstances totally new to all of them, very naturally and laudably directing all their thoughts and time to render themselves comfortable and thriving, must constitute a state of society totally different from, and, in many points, utterly at variance with that in which most intending emigrants have moved and spent years of happiness.

These, with bad roads, alike unfavourable to social communication and to traffic; no returns, at first, from the hardest and most incessant labours, not even the plainest necessaries of life, and no vent, or an uncertain, troublesome and unfavourable vent, by which superfluous necessaries may be exchanged for those which his own labour cannot produce; these are evils to which emigrants, go where they will, must be exposed; which,

therefore, they ought to understand and contemplate one by one, till they are impressed with a clear idea of their nature and magnitude, in order that their minds may be familiar with them —that they may prepare themselves for some before they emigrate, and have nerved themselves to encounter all in their new country.

But to some classes and descriptions of people, these evils will be fewer, less powerful, of shorter duration, and sooner compensated by good, than to others; and in some countries than in others. Let us inquire carefully and impartially into both these points separately; the determination of them is indispensably necessary, in an article professing to give good advice to intending emigrants; indeed it is the grand and predominant object of this article.

It will, on many accounts, be best, in the first place, to inquire who ought *not* to emigrate: having ascertained these, and thrown them entirely out of our consideration, we shall be the better able to attend to, and to fix the comparative advantages of the different classes and descriptions of people, who, not being included in our first list, may be considered as proper emigrants.

The object of by far the greater number is, to settle on the new lands, not in the towns: to the few of the latter description, no information or advice can possibly be given that will be permanently suitable, safe, or useful to their particular cases. Professions, trades, kinds of labour, or skill, may be in great demand this year, and next year in no demand in Philadelphia, New York, Sydney, &c. Such emigrants must make their own inquiries as nearly as possible to the period of their embarkation; and, after all, must embark, uncertain in what demand they will find their knowledge, or labour, when they arrive at the place of their destination. To these, therefore, we do not direct our counsels, or our information.

It is far otherwise, with respect to those who emigrate to settle in the new lands: these can always be procured; from these due skill and labour can always obtain, at least, the necessaries of life; but there are many descriptions and classes, who from ignorance and want of experience, from inapplicable habits of industry, from idleness, unsteadiness, and want of perseverance, or from other causes, will find the most fertile soils barren, and be reduced to misery in the midst of the means of plenty, and a thriving neighbourhood.

In pointing out the evils that necessarily attend emigration, we have indirectly reverted to the indispensable habits and frame of feeling and character, without a large portion of which,

these evils cannot, and ought not to be encountered. Those who are not, and have not long been steadily and perseveringly industrious, accustomed to hard labour, or determined to submit to it, and to frugal fare and poor accommodation; those who are totally, or in a great measure destitute of that promptness, presence and decision of thought, never perplexed, subdued, or taken unawares, by means of which obstacles are foreseen and removed; or of that buoyancy of spirit which raises a person above and floats him safely over such difficulties as cannot be foreseen and avoided, ought not to think of emigrating, if they can possibly subsist in their own country.

In a new settlement, where all are working hard, and necessarily directing their thoughts and means to bring the land into cultivation as speedily as possible, and where, moreover, population is thinly scattered and inter-communications unfrequent and difficult, no trade can prosper which depends on the outlay of superfluous money or in a dense and multifarious neighbourhood: no trade that is not absolutely requisite for the paramount object, agriculture. Even the division of labour is little practised: the settlers bake their own bread, brew their own beer, make their own candles and soap; so that among them a baker, brewer, and candle and soap maker would not prosper: and for such clothes as the settlers do not make at home, they would not have recourse to a tailor or a shoemaker, who, at a great distance from any market where they can purchase cloth and leather, will not be able to sell their goods nearly so cheap as they can have purchased ready made at the stores. Thus it appears that, for articles above the necessaries of life, there must be a very feeble and limited demand, if any: that the occupations of the family of the settlers supersede some trades; and the stores supersede others. To how few descriptions of trades-people, therefore, does emigration hold out any prospect of success, if they mean to depend entirely or principally on the trades to which they have been brought up.

No person above the rank of a common labourer, ought to emigrate who has not capital not only to carry him to the place of his destination, but sufficient to pay the purchase money, or the fees of his land, at least the first instalment of the purchase money—to obtain the necessary implements of agriculture, to clear and cultivate the first portion of his land, to support himself and family till the first produce, and after all these outlays, to serve as a fund in case of sickness, failure of crops, or other calamities. Emigrants have taken out less capital and succeeded; but the chance of similar success ought not to be calculated upon; and a scanty capital must perplex and harass

the mind under circumstances that require all its calmness, clearness, and power; and besides, must prolong the period of hard labour, difficulty, and doubt. Ought persons ignorant of agriculture to emigrate for the purpose of becoming agriculturists? If they are industrious, and can bear fatigue; if they have sufficient capital, and if, moreover, they have sons of an age fit to labour, they may. Before they leave Britain they can learn by books, and even practically, the principal rules of agriculture; and, in a new settlement where land is plenty and cheap, an inexperienced agriculturist will be much more nearly on a level with a skilful one, than he could be in Britain, where high rents and taxes can be met and overcome only by great skill, experience, and capital. Although, therefore, very few tradesmen, as tradesmen, could prosper in a new settlement, yet they may as agriculturists.

We shall now have little difficulty in determining what classes and descriptions will benefit themselves most speedily, certainly, and effectually, by emigration.

The poor peasant or day-labourer—For such there must always be a regular and great demand, and consequently high wages: these, with cheap subsistence, will enable them in a few years, with common industry and prudence, to acquire an independence; that is, as much money as will purchase land sufficient to employ himself and his family, or to bring up one. "Those who have been accustomed to a country life, and to country labour," observes Mr. Harrison, "are, of course, more fitted to cultivate land and endure the hardships at first attendant upon a residence in the wood, than artisans or manufacturers, whose constitutions and habits of life are somewhat unfavourable to the successful pursuit of agriculture. But every individual who to youth and health joins perseverance and industry, will eventually prosper."—p. 252.

Farmers, or those who are willing and fit to become such, with a capital sufficient for the purposes we have already pointed out, and an increasing family.—If the peasant or day-labourer has a family of an age fit to work, he will sooner gain an independence than a labourer without any family; because in new settlements, a wife and family will increase his incomings, as they will always find employment; a farmer with a family will prosper sooner than one without one, because their labour will save his outgoings: so that a wife and family, so far from being a burthen, always prove sources of wealth.

Those who emigrate with the expectation of making a fortune, or even securing a money independence, will be miserably disappointed: those who emigrate at an advanced age with the

expectation that they themselves will reap all the advantages that emigration can bestow will, also, in most instances, be disappointed. It is for the sake of his family that a man is justified in emigrating, or bound to do it: a small capital, industry, and frugality, will enable him to save, in a few years, money sufficient to settle each of them in land of their own. To them will be all the benefits of emigration, and few of its evils—separation from his native land, his oldest and dearest friends, change in his associations and habits, hard work, plain diet, and a humble and inconvenient habitation, under the firm and chearing conviction that he is working and endeavouring for the benefit of his family, and witnessing that benefit, year after year, realized in a gradually increasing degree. In his native land, health, his little capital, hard industry, and scrupulous frugality, had been unavailing; he was there sinking below the level of his proper and accustomed rank in society; and his family, of course, would be dragged down with him; indeed, only tend to accelerate his fall: his health was suffering from anxiety, hard labour, and insufficient food; his little capital was rapidly diminishing; all his efforts to stop the current of his fate, or to retrieve his affairs were unavailing. An emigrant, he sees the scene and the prospect change; his family, no longer a burthen and a source of anxiety, becomes a blessing—a mine of wealth. In his native country, the fruits of his hard labour and his skill, the returns for his capital, after the payment of rent, taxes, &c. left little for necessaries, less for the education of his children, and nothing for their establishment in life. As an emigrant, he can procure for little or nothing land to cultivate; all that his labour, skill, and capital produce from this land is his own; he saves, instead of diminishing his capital: little saving, however, is necessary, for, as soon as his sons are fit to manage a farm, *that* can easily and cheaply be procured; and then, their labour, skill, and capital, equally secure as his own of all they produce, will enable them to do for their sons what he had done for his.

These are legitimate and praise-worthy inducements to emigration. No person can be disappointed if he has these objects in view, except through his own fault. Of course such inducements are most powerful with those that are worst off in their native land; but it is evident that if to them emigration supplies the means which they had not here, of becoming independent themselves, and rendering their children so, to those who are well off here, it will supply the means of being better off there, and providing better for their children, if they possess the requisite qualifications of an emigrant.

Our next inquiry relates to the place of emigration. That

place ought to be preferred which unites in itself the fewest evils, the shortest duration of those evils, the greatest number of compensations and advantages, and the quickest arrival of those advantages. The advantages, however, are to be preferred as being permanent and the object of emigration, to the comparative absence, or comparatively short duration of the evils. For emigrants ought not for a moment, either in the choice of their country, or while there, to lose sight of this principle, that the interest of their children is their paramount duty in emigrating: this must be future, and it must be reached through, and by, years of toil to themselves; the evils of emigration, therefore, being for their own endurance, of a temporary nature, and the only means of securing the advantages of emigration for their family, ought not to preponderate against these advantages in the selection of the country.

In stating and balancing the claims of different countries to the choice of the emigrant, we shall omit all consideration of such particulars as are frequently changing; such as the expense of the voyage, the articles he ought to take out with him; the amount of purchase money or fees for land; the wages of labour and price of provisions, manufactures, &c.; the capital requisite for any given portion of land. Some of these frequently vary; others depend on the particular part of the country to which the emigrant goes: for we do not mean to recommend any particular part of any country; but to point out the advantages and disadvantages of the United States, Canada, New South Wales, and Van Diemen's Land generally. The only prudent and safe way is, for an emigrant, after he has fixed on one of these countries, to make at the time careful and private inquiries respecting these things before he leaves England, and on his arrival; and with respect to his choice of a particular part of the country he goes to, a little time, trouble and money spent in examining it for himself, will lead him much more certainly to a fit and advantageous settlement than all the information he could possibly receive from others:

'The settler, having placed his goods and his cart in safe custody, should set out as soon as possible in quest of land; and if he is determined to see with his own eyes and to judge for himself, he should go on foot, and employ at least a month in his search. I know a gentleman who walked in this manner a thousand miles before he fixed upon his land; and his grant thus chosen, was certainly a thousand pounds more valuable than if taken in an inferior situation. It will be well if the emigrant can find another person similarly circumstanced with himself, to accompany him in his search. At the same time he will be ac-

quiring much useful experience, by observing the good management as well as the errors of those with whom he may come in contact.'—*Curr.* p. 103.

'I most earnestly recommend all persons intending to emigrate, to visit the country before they move their families to it. Indeed it is a duty which the emigrant owes them, to see the place he intends to remove them to. The whole expense of a journey from England, even to Illinois, and back again, might, by taking a steerage passage across the Atlantic, be easily included in 100*l.*; a sum, which a man with even a small capital could not grudge, in so momentous a concern as that of emigrating. I have, moreover, no hesitation in saying, that the 100*l.* would be well laid out, even should he afterwards determine to emigrate. By going through the country, he would have an opportunity of seeing several States, and could judge which would best suit his ideas of comfort and profit. He would inform himself accurately about the life of the American farmers, and about the value of land as connected with the healthiness of its situation, and of its proximity to a market or a navigable river. He should also inform himself concerning the methods of cultivation; for it must be considered, that although an English farmer may know very well how to raise wheat and oats, he is perfectly ignorant of the culture of cotton, tobacco, and particularly of Indian corn, which is the grand staple of the Southern and Western States, and of which 500 bushels are raised for every bushel of any other grain. Indeed most of the small backwoods farmers do not cultivate anything else.

'If four or five families from the same part of England wish to emigrate, they would do well to send first of all one of *their own* number, a poor man, but upon whom they could rely. His journey would cost much less than 100*l.*; perhaps only 50*l.*; for, on arriving at the other side the water, he might travel on foot, and yet go as far in three days as a horseman would in two.

'By adopting such a plan the emigrant may become independent of books, which at most are but fallacious guides; every one, in his views of a strange country, being influenced more or less by his former mode of life.'—*Excursion,* p. 167—9.

This is sensible and judicious advice, and should be followed by every emigrant into whatever country he may go.

All emigrants, likely to prosper, may be divided into two classes; those who have their labour to sell, and those who have labour to buy. The former must go where there is a demand for labour, and ought to go where that demand is greatest, other things being equal: they will do wrong, therefore, to emigrate to New South Wales or Van Diemen's Land. "No country is better supplied with labourers, and that at a moderate rate of wages: there are not many free labourers; the far greater number are convicts. The convicts are assigned by the government to the settlers, and are obliged to perform the work their masters ought to do; the wages, clothing and food

they are to receive, as well as the quantity of work they are to perform, are regulated by government order." [*Wentworth* ii. p. 39.] Whether this state of things, evidently unfavourable to the free labourer, is proportionally advantageous to the person who has labour to purchase, we shall afterwards inquire: it is sufficient, at present, to point it out, as a reason why he, who has his labour to sell, should not emigrate to Australasia: it is proper, however, to add, from the same authority, that the wages of artificers are high in proportion to the wages of common labourers, and that free male as well as free female domestic servants also receive high wages [p. 43] as they are naturally preferred by all who can afford to keep them, to convicts, in their families.—*Emigrant's Note Book*, p. 15.

The first and paramount consideration to all emigrants, ought to be the healthiness of the climate: it is unnecessary to write a single line against a climate, or any local situation; where deaths are numerous, or debilitating, or lingering illnesses prevail, all depends on the life and the unremitted industry of the emigrant: if he, or any of his working family die, or are laid up, or debilitated by illness, expenses are incurred, and the means of meeting these additional, as well as the foreseen and unavoidable, expenses, are at the same time diminished: with fewer efficient members, broken spirits and a gloomy prospect, as well as a more distant period to his labours, far from his native land, and the friends of his youth from whom he used to receive consolation and assistance, he must be of a very unfeeling, or a very strong mind, and of a very powerful constitution, if he does not give way to despair and fold his hands in listless apathy.

But something besides the mere healthiness of the climate should be taken into consideration; it is highly desirable that the necessary labour may be apportioned as equally as possible through the different seasons of the year. A climate, though not actually unhealthy, may indispose, or unfit for regular and constant hard work, by its relaxing heat, benumbing cold, and, still more, by frequent and sudden alternations of these two states of temperature. A positively unhealthy climate, no advantages can balance: such another climate as we have described, may be of little consequence, if other circumstances are highly favourable and advantageous: to those, therefore, all consideration of it ought to yield: but if a climate, unobjectionable on these accounts, as well as healthy, can be found united to other favourable and advantageous circumstances, that country in which such an union exists, ought most undoubtedly to be preferred.

Let our first inquiry, therefore, regard the climate of the United States, Canada, New South Wales, and Van Diemen's Land.

We take it for granted, that no Briton will emigrate into any of the United States where slavery is tolerated: if his abhorrence of slavery is not sufficiently strong, to keep him from such states, their climate, which is as unfavourable and debilitating to the body, as slavery is to the mind and feelings, will deter him.

All the slave states lie to the South of the 40th degree of latitude: in the northern districts on the borders of Canada, the climate, though healthy, is objectionable from its great annual variation, which necessarily supposes frequent changes of temperature, or extreme heat in summer, and extreme cold in winter: the former the most wearisome to the constitution, the latter adverse to an equable distribution of labour throughout the year. In other respects these districts are not unfavourable to health or labour. The most attractive parts, however, lie beyond the mountains, in the vicinity of the Ohio and its tributary streams: the temperature here exhibits less annual variation than it does either further north or, under the same parallel, nearer the Atlantic ocean. In winter the cold is sometimes extreme, considerably below zero, and the heat in summer much less tolerable than in England; but, at a distance from the banks of the river, and especially on the swelling grounds which the *Prairies* contain, this climate does not produce disease. The severity and length of the winter must retard field labour, but other out-door work may be carried on with much less inconvenience and risque to the health, than are experienced in the humid and unstable cold of an English winter. And the same dryness of the atmosphere, together with the enlivening influence of a clear, unclouded sky, gives to the heat of summer less relaxing effects than follow, at a lower height of the thermometer in England. Our statements with respect to the healthiness of the back-settlements in America, where the situation is at a distance from the river, and rather elevated; and also with respect to the influence of the heats of summer, and cold of winter on the health, constitution, spirits, and disposition and capability for labour, are derived from authority on which we can depend; on the authority of one who, with his wife and eight children, has been for upwards of three years in one of the settlements generally deemed unhealthy, with scarcely a single day's sickness in his family. Suffering much less from heat or cold than they did in England, and never prevented by either from performing their accustomed, regular and necessary labour. The climate of Upper Canada is

perhaps still more healthy than that of the middle back settlement in the United States: in the latter, sickness arises from the miasmata of the swamps and low grounds near the rivers: "the climate, in the westerly parts of the former," observes Mr. Howison, "is alike healthful and agreeable. But the climate of neither has obtained that salubrity and purity which will eventually characterize it. Cultivation renders a country more healthy, as well as more productive. The low grounds of the back settlements of the United States will be drained: and the thick forests which cover nine tenths of the inhabited parts of Upper Canada, and by preventing evaporation, produce marshes, swamps, and collections of water, which, in their turn, generate mists, chilly winds, and agues, will be cleared away, and the air then, though perhaps colder, will be even more dry than it is at present."—*Howison*, p. 246.

But though, as directly and powerfully affecting health, the climates are nearly on a par, the situation of Upper Canada, four degrees to the North of the most favorable of the Ohio states, renders its climate, from its greater annual variation, more trying to the constitution, and from the greater duration and severity of its winter less adapted to the agreeable distribution of agricultural labour. "The changes of temperature are sometimes inconceivably sudden and extraordinary" [*Howison*, p. 243]. The winter, or more properly speaking, the season during which, from frost and snow, and rainy, cold, and tempestuous weather, and impassable roads, no agricultural operations can be carried on, nor any pasture procured for cattle, lasts five months [*Directions*, p. 100]. In consequence of this long period of inactivity, and there being no spring, but a summer of intense heat, coming at once [*Excursion*, p. 433], the farmer is compelled to execute a great deal of work in a very short period; and this, of course, must press more heavily either on his constitution or his purse, than if the climate permitted him to distribute his operations more equally throughout the year.

In respect to climate, however, New South Wales and Van Diemen's Land, especially the latter, are more congenial to the English constitution, more healthy and adapted for regular and constant labour, than the climate of Upper Canada in the western states of America. In New South Wales the heats in summer are sometimes excessive; but the average heat is about 80 at noon, in winter from 55 to 60; so that, as Mr. Wentworth observes, the heat of summer and the cold of winter can offer no long or serious impediment to the labours of the field or the forest. The openness of the forest, the absence of under-

wood and of swamps, secure it from the bilious fevers of the United States and Upper Canada. In Van Diemen's Land the frosts are sometimes severe and long; on an average the mean difference of temperature between it and New South Wales, may be estimated at 10 degrees of Fahrenheit at all seasons of the year: it is equally salubrious, with the exception of rheumatic complaints.—*Wentworth,* vol. ii. p. 22. 92.

The nature of the soil is the next consideration: this ought to be regarded in two points of view. The actual fertility of the soil, and the time, labour, and expense that it will require to draw from that fertility the produce it will yield; for the saving of time and money ought to be an object of the greatest moment to the emigrant. Of soils, therefore, of equal fertility, covered with grass alone, with few trees and no underwood, or heavily covered with large timber and underwood, the first ought to be preferred to the other two, and the second to the last: of soils of equal fertility, in a temperate climate with a short winter, and in a severe climate with a long winter, the former ought to be chosen: and lastly, of soils of equal fertility, one strong and the other light, the latter ought to be preferred. As respects the necessary clearing, Australasia and the Prairies of the United States are nearly on a par; and both are preferable to Upper Canada: as respects climate connected with soil, they are also superior; but Australasia surpasses the United States. As respects tenacity, they are all nearly on an equality. The comparative expense of labour in Australasia, and the Western States will turn the scale in favour of one or the other, so far as the value of the soil is affected by the necessary clearing: the greater variety of productions to which the milder and more equable temperature of Australasia is adapted, gives to it, however, a decided and positive superiority.

But, though a fertile soil with no natural obstacles to its immediate cultivation, is preferable to one equally fertile, beset with these obstacles; yet this advantage, as well as that of a finer climate, may be more than balanced by the greater price paid for it. The price of land, or the fees paid on procuring it, and the terms of payment, are not always the same; but as our object at present is merely comparison, we shall state them as given by the latest authorities: In Australasia a person with 500*l.* can obtain a grant of 500 acres on payment of fees amounting to 2*l.* 19*s.* 7*d.*: for 500 acres in Upper Canada fees to the amount of 125*l.* are now charged: and the lowest price at which Congress dispose of their inferior land is 2 dollars per acre. It ought to be stated, however, that the British government gives 50 acres in Upper Canada to any of its subjects free

of cost; and the best lots may be bought from individuals at one dollar per acre: it ought also to be stated, that the money is paid to Congress by instalments.

An emigrant, with such a family as renders him independent of hired labour, needs not be influenced in the choice of his settlement by the rate of wages: an emigrant who must hire his labour, will naturally look to New South Wales, other circumstances being equally favourable, where it is cheapest: the reverse, with respect to the emigrant who has his labour to dispose of. It does not, however, necessarily follow, that, because New South Wales and Van Diemen's Land offer low wages, and little demand for free labour, and are consequently not the places to which labourers ought to emigrate, therefore, labour is really cheap to the farmers there. A settler is obliged to take one convict for every 100 acres: he cannot compel them to work more than 9 hours in the day, unless he gives them additional provisions. The fixed quantity is 10 pounds of meat, and 10 pounds of flour every week; and 10*l.* a year to find them in clothing. But they are not paid in money, for they draw their clothes from the master, who generally puts 20 per cent on the goods. Our friend in Van Diemen's Land, to whom we are indebted for this and other information, adds "you likewise can keep them very strictly; for they are not allowed to go off the farm without permission; and any idleness or disobedience of orders is a crime sufficient to have them punished, a system which is often obliged to be had recourse to: they are generally whipped, receiving from 20 to 100 lashes, according to the crime or offence committed." Even allowing, then, that the wages actually paid for convict labour is less than the wages of free labour in Canada, and the Western States, yet the nett profit of the master will probably be more in the latter case, from his work being sooner and better done; and to a man of correct feeling, the practice of selling the clothes to his convict labourers at a great profit must be very revolting—this, however, we learn from Mr. Curr, is beginning to be considered disgraceful:—But, above all, the apprehension and aversion convicts naturally excite, and their mode of punishment, ought to be more powerful objections to a country where they must be employed.

Wages are nearly equal in Canada and the Western States; generally rather higher in the latter. Stated in money they appear exorbitant; but as they are actually paid they are not so; for money being scarce, "almost all the farmers are allowed to pay those they hire with grain of some kind, which being unsaleable, those who receive it, are obliged to barter it away with

loss for any thing else they may require" [*Howison*, p. 251]. Hence the labourer is not so well off as the wages stated in money and compared with the low price of provision would seem to indicate; and the settler who has plenty of money, will get his work done at a cheaper rate than he who has none; and in making purchases will often obtain a larger discount from the seller.—On the whole, therefore, we may consider that Canada and the Western States are nearly on a par with respect to wages: but it must be recollected that the heavy-timbered land of the former requires more labour than the prairies of the latter.

And, besides what the settler must pay in kind or money for wages, he must also supply himself with wearing apparel and other articles of foreign growth and manufacture. These are a great deal cheaper, and probably always will be so, from the readier and cheaper access by sea, in New South Wales and Van Diemen's Land, than in Upper Canada and the Western States.

Having now considered all that is connected with the outlay of the settler, we shall next turn our attention to the sources from which he must draw his profits. These, of course, are two: the nature and quantity of the produce, and the price he can obtain for it.

The climate of New South Wales appears not so well suited to grain as that of Van Diemen's Land. Maize or Indian corn, wheat, barley, and oats are however cultivated with success. In the latter colony the climate will not bring Indian corn to maturity; but the wheat, barley, and oats are more productive and of a much finer quality, and in potatoes this superiority of produce and quality is still more decided. It seems highly probable that the climate of New South Wales will suit many tropical productions; and certainly the same may hereafter be cultivated there with success and profit: but at present no emigrant should take this into his calculations. In the Western States, Indian corn, and wheat are the crops on which the farmer must depend; the quality and quantity nearly the same as in Van Diemen's Land: in Canada, wheat, buck wheat, and rye; oats poor in quality; barley little known: in the western parts of the province Indian corn yields largely; potatoes productive, but bad. The average produce of wheat and Indian corn, here as in all the other settlements, the staple grain on which the settler must mainly depend, is nearly the same in Upper Canada.

Except in the Australasian colonies the settler must not expect to have much to barter or sell except wheat or Indian corn. The cattle kept in the Western States and Canada, are solely for

draught or for family butter and cheese. The Western States, like the rest of America, possess few sheep; mutton is not in request, and the climate, or the pastures, or both, do not seem suited to them. In Upper Canada small flocks are kept but the wool is almost entirely manufactured at home. The length and severity of the winter, which require horned cattle, horses, and sheep to be housed day and night, from November to April, will always prevent the settler in Upper Canada from deriving much profit from his stock.

In Australasia, especially in New-South Wales, sheep, on the contrary, are already a great source of profits; the wool being of a superior quality, and the native pastures rich and abundant throughout the year:* depredations, however, are frequently committed, which, of course, diminish the profit and render more servants absolutely necessary. Attention has not been paid to sheep husbandry nearly so long in Van Diemen's Land as in New South Wales; but independently of this consideration, the climate and surface of the latter seem best suited to raise fine wool. "The pastures of Van Diemen's Land," observes Mr. Wentworth, [vol. ii. p. 115] "as far as they extend, are probably inferior to those of New South Wales, but they are limited, and not in the course of being speedily occupied and stocked. Not so in New South Wales, where the native pastures are without limit; and for generations to come, there will be no necessity for raising artificial grass or making inclosures for the general stock of the colony." On the whole, therefore, seeing that the wheat and potatoes of Van Diemen's Land are so much superior to those of New South Wales in quantity and quality—whereas the superiority of the wool of the latter is decided and may be traced to causes that do not exist in an equal degree in Van Diemen's Land—we cannot coincide in the opinion of Mr. Curr, that "in the flocks of Van Diemen's Land its true riches will always be found." [p. 65.] "The returns from cattle are not so speedy or so great as from sheep, nor do they, like the latter animal, annually yield an exportable commodity." [Ibid. p. 87.] Horses, an article, however, which the settler ought to regard rather as one to purchase than to sell, are much cheaper in Canada and the Western States than in Australasia.

Let us trace the progress and proceedings of the emigrant to that period, when, having no longer occasion to lay out money, he finds himself in possession of produce to sell, all his affairs have been conducted with knowledge, prudence, and industry,

* In Van Diemen's Land both the cattle and the sheep must be winter-foddered—*Wentworth*, v. ii. p 106.

and have hitherto answered his expectations; after fixing on the country where he intends to settle, he embarks at the proper season of the year, makes a good bargain for his passage, carries with him nothing that will be superfluous or incongruous in his rude abode, or which he can purchase cheaper there, no household furniture, except, perhaps, what is of the most indispensable and necessary description, recollecting that most things required in a log-hut can be procured in the settlements. Wearing apparel of all descriptions, and cloth, cotton, &c., to make up into it, he takes, as for all these abroad he must pay an exorbitant price. His capital he takes in money, or bills, cautiously avoiding laying it out in goods, unless he has the best reason to believe, that he can obtain for them a prompt and advantageous sale, because a loss upon them or a slow sale must cramp all his efforts.

Arrived at the place of his destination, he examines for himself the land, if he is to purchase it; if he is to receive it from government, he, of course, has only a limited choice: in every case, however, he endeavours to learn all he can respecting it; the nature of the soil, whether fertile and dry, possessing a spring of water, near roads, a navigable river, a mill, a running stream, a market and other settlers, and whether the neighbourhood is in good health, increasing, and doing well. "Good roads," observes Mr. Howison [p. 269.], "markets, a large neighbourhood, and mills, will make their appearance almost any where in the course of time; but a piece of poor wet ground will never produce enough to render them of any value to the possessor." An emigrant, however, with a limited capital, ought to fix near a market, because, though a market will undoubtedly make its appearance in the course of time, yet it may not appear till his capital is entirely spent, and thus he will be involved in embarrassment.

In the erection of a log-house, he may reckon on the assistance of his neighbours: for clearing his ground and bringing it into cultivation, he must depend on the labour of himself and family or that which he hires. Till he has accomplished this and gathered in his first crop, he, of course, must purchase his provisions; but if he has brought with him sufficient clothing, it will require little of his capital to feed himself and family. His ground bought, and partly cleared—his log-house erected, himself and family supported for a year or a year and a half on what he purchases, the period arrives when he expects to reap at least as much as will provision his family for the next year, and enable him to pay the labourers he may require, in kind.

At the end of the next harvest, he finds himself in possession

of a larger quantity of produce than is necessary for the support of his family and the payment of his labourers; and, perhaps, even after procuring, by barter, clothes or any thing else he may need or wish for, there still remains a surplus.

This, then, is a most important period for the emigrant: he cannot store up his surplus, certainly not for many years, and it would be absurd to exchange it for more clothes, &c. than he absolutely requires. Even on the supposition, then, that he is not anxious to turn it into money wherewith he may enlarge his own farm, or purchase farms for his sons—he still must be desirous of disposing of it for money; this will not incommode him as the produce itself or what he might barter it for must do; and it would be useful, or indispensable in many possible cases.

Let us, therefore, inquire into the comparative advantages of Upper Canada, the Western States and Australasia, with respect to markets—both the home and the foreign markets: the absolute or comparative prices we shall not investigate; these vary frequently and much, and so far as the profits of the settler are concerned, give no insight into them, unless at the same time the amount of the crop per acre for the particular year is stated. A purchaser who pays 10*s*. a bushel for his wheat, finds the purchase a heavy drain on his purse, though at the same time, the farmer's crop may have been so scanty, that even at 10*s*. his profit will be trifling.

It is evident, that as new settlers must purchase grain, &c. till they can raise their own produce, the influx of them will occasion a demand for grain; but, it is equally evident, that, as every year must diminish the proportion of the new settlers to the producers, there will soon be produced far more than they consume. This must be the case in all new settlements, where the great majority of new settlers are agriculturists; of course it is the case in Canada and the Western States. In Canada, the merchant who exchanges broad cloth, implements of husbandry, groceries, and every sort of article that is necessary for a family for farm produce, will sometimes give money for it; but this source cannot be depended upon. Neither in Canada, therefore, nor in the Western States, is there a regular home market that will take off the surplus produce of the emigrant; and this disadvantage must increase with every accession of settlers, till they become so numerous, and the population so dense, as to create a demand for manufactures, &c. on the spot.

In Upper Canada, the obvious and natural outlet for the surplus grain is the lower province; Mr. Hodgson says, "I

heard the farmers of Lower Canada complaining, that their markets were glutted with the produce of the upper province. Any interruption to the timber trade would diminish the market for grain; since a very large body of consumers are found in the raftsmen, who collect and convey the timber from the lake and rivers to Quebec, and in the crews of five or six hundred vessels, who replenish some part at least of their stores at that port. The raftsmen are, in a great measure, the links of communication between the Montreal and Quebec merchants on the one hand, and the emigrants and backwoods men are, on the other, the channels through which British manufactures flow into the interior, and country produce to the coast" [vol. ii. p. 50, 51.]. It is only necessary to inspect the map of Canada, to be convinced, that there can be no outlet for grain, so quick, easy, and cheap, as will draw off the superfluous produce regulated at a fair price for the grower.

The Western States of America are nearly in the same situation, with respect to a home and foreign market, as Upper Canada; and from the same cause—the great influx of agricultural emigrants, and their distance from large towns, and from the Sea.

'In the ordinary course of things, without a European market, agricultural profits in this country must be extremely low; among other reasons, because so large a *proportion* of the population, compared with most other countries, will be land-proprietors, and so small a proportion dependant on others for their agricultural produce; and because the great fertility of the soil will leave an unusually large surplus, after maintaining the labourers employed in its cultivation. It appears to me, that the natural tendency of this state of things among an industrious and enterprising people is, to encourage domestic manufactures; I mean manufactures really domestic—made in the family—the produce of that labour, which higher agricultural profits would retain in the field, but which there appears to be no inducement to employ in the cultivation of produce, which will sell for little or nothing when raised. It is of little importance to the small farmer, that foreign manufactures are tolerably low, if his produce will neither command *them*, nor money to buy them. He can obtain his clothing in exchange for his leisure hours; but then it must be by employing those hours in actually *making* his clothing, and not through the intervention of agricultural produce. I am surprised to find to how great an extent this species of manufactures is carried, and how rapidly the events of the last two years have increased it.—*Hodgson*, vol. ii. p. 70.

Alluding in a subsequent passage to Mr. Birkbeck's settlement, he observes,

'I have already mentioned some of my reasons for supposing that, in the ordinary course of things, agricultural profits will be generally low

in this country. Nor am I aware of any peculiarities in Birkbeck's situation which would form an exception in his favour, in this particular. It must not be forgotten, that while the imminent danger of flour turning sour at New Orleans, his principal market, is to be set against the advantages he may possess over the *farmers* in the Atlantic States; in his competition with the *graziers* of Ohio, his great distance from the Atlantic cities, may more than counterbalance the benefit of a readier access to extensive prairies.'—P. 78.

In Australasia, the home market offers a much more constant and regular demand, and a higher price than in Canada, or the Western States. Provisions are not, indeed, nearly so high as they were; but they are even yet at prices which, at first sight, appear unaccountably exorbitant for a new colony. This, however, is easily explained; there are fourteen classes of persons, who are intitled to receive rations from his Majesty's store: all convicts employed by government, as well as, for the first six months, those assigned to free settlers; the civil officers of the colony, the troops, commissariat department, constables, and free settlers and their families during the first six months. So long, therefore, as convicts are sent to Australasia, and troops are kept there on their account, there will be a better home market for grain than in Canada, and the Western States; but it is obvious, that, as the proportion between the productive settlers, and the new settlers and convicts increases—and it must be gradually increasing—the proportion of the produce to the demand in the home market will also increase. It would appear also, that the home market is benefitted by there being a greater number of town settlers in Australasia, compared to the agricultural settlers, than there is either in Canada, or the Western States. These, with the ships that trade to, or call at the ports of Australasia, are the principal sources of the home demand. This colony also possesses a better foreign market; the settlements being near the sea, and the country itself at no great distance from the populous Indian nations, a good deal of their produce finds its way there, as well as to Britain.

We have now gone through a comparison of what may be called the most important physical advantages and disadvantages of Upper Canada, the Western States, New South Wales, and Van Diemen's Land; and, looking to them alone, there can be no doubt, that Australasia, as respects climate, soil, outlay of money for it, and its cultivation, variety, and quantity of produce, and markets for that produce, is superior to Upper Canada and the Western States: and there can be as little doubt, that, in these respects also, the Western States are superior to Upper Canada. But an emigrant very rationally

wishes to look forward—to have some grounds on which he may reasonably anticipate what will be the future state of his new country, at least so far as it may directly affect the prosperity of himself and his immediate descendants. Local advantages being the same, the improvement of a new country depends chiefly on the measures of its government, and the character of the settlers; the first influencing cause we shall consider afterwards. With respect to the second, if the settlers are generally ignorant, and idle, they must counteract and impede the prosperity of the new settler, if they do not actually render him like themselves. The colonists of Australasia, to a finer climate and soil, seem to add great enterprise and industry; and certainly their prospects are much more promising than those of Upper Canada, or the Western States. The comparison between these two we shall extract from Mr. Howison, though we must confess, it bears rather too hard on Upper Canada. In the United States, "Villages and towns start into existence almost instantaneously; and when any place is peculiarly calculated by nature to be a theatre for the energies, enterprise, and associated labours of man, it is immediately occupied by an active and industrious population, and soon attains that degree of importance to which its advantages entitle it. But in Upper Canada things are very different; for the province at present affords so few excitements to individual exertion, and such unpromising prospects, that all plans to promote its aggrandisement and prosperity, whether rational or chimerical, are alike doomed to languish for want of supporters."—P. 213.

When a person is compelled to emigrate, or to sink below his level, or even to starve, at home, he is justified in being more inquisitive and solicitous respecting his physical and worldly success, than any higher object; and we apprehend, that too many emigrants, not so circumstanced, while they inform themselves with quick and keen interest, as to what country they are most likely to prosper, search, with comparative indifference, into the intellectual, moral, or political state of that country. And yet, even in a worldly point of view, these circumstances are of great moment. The greater the talent, information and skill, and experience of the inhabitants of a new colony, the more correct, steady, persevering, industrious and frugal their manners, the more friendly, obliging, and mutually accommodating, and assisting, their behaviour—the more quickly and surely will the colony advance in prosperity; and in proportion as they enjoy political and religious freedom, and a government wise enough to let them alone in the direction of their industry,

and the enjoyment of its fruits, will they push forward in the career of improvement.

An emigrant, therefore, truly wise for his worldly concerns, is wise for the intellectual and moral comfort, and improvement of himself and family; and especially wise for all that respects that greatest of all blessings, the enjoyment of a government that impairs his means, and his personal freedom, only so far as is absolutely necessary for the good of the whole, and as the whole think it good for them.

Let us then inquire into the intellectual, moral, and political state and prospects of the different countries, that have been already compared in so many other points. It may be necessary, however, to forewarn the emigrant, that he must lay his account, wherever he goes to, for the absence of many things, and the existence of many things, which would be serious objections to his settling in any old country, but which he must put up with in a new settlement.

His very means of establishing himself depend on his family; he will not, therefore, be able to spare that time for their education which he might desire; and probably if he could spare it, there would be no opportunity. In a new colony, where the inhabitants are thinly scattered, and their time necessarily as well as laudably occupied in clearing and cultivating their land, a school-master would not find it worth his while to settle; and after a hard day's work, the father would be little disposed, or qualified to give, or the children to receive, instruction. Still, it may be had, but not in that regular steady manner, which most advances the pupil in learning, and forms in him the love and the habit of reading.

The emigrant must not be surprised, or shocked, if he find in a new colony strong symptoms of manners, customs, modes of behaviour, as well as modes of speech, that in his mind are associated with indelicacy, rudeness, and imperfect civilization. In visiting a foreign country for the first time, we are very little able, and perhaps sometimes not much inclined, to break those associations in which we have been nurtured in our own country. So that, on seeing an action done, which we have been accustomed to regard as improper, and which we actually know must have proceeded, when performed in our own country, from some improper motive or feeling, we are unavoidably and unconsciously led to regard it as an indication of a similar motive or feeling, when we witness it abroad. On this subject, most important to all who leave their own country, and especially to those who mean to settle in a new colony, where very much indeed of the comfort, as well as the pros-

perity of a settler depends on his immediately and thoroughly understanding the character, and receiving with cordiality the assistance of his neighbours, Mr. Birkbeck makes a remark, quite characteristic of his liberality of sentiment; and his shrewdness, and of the pithy expressiveness of his style. In his notes on a journey through France; after stating that he attended to the alighting of a party, consisting of several gentlemen, and a lady with her young family, from a diligence at Remoulin; he adds, "As the lady stepped out of the carriage, she discovered a lapse of stocking, and continuing her chat with the gentlemen who had handed her out, she deliberately adjusted it, and tied her garter. This is characteristic of Southern France, and tends to settle a point in Natural History—that a French lady's knee is as modest as the elbow of an English lady; which I am satisfied was the case in this instance."—P. 49.

Besides the difference of manners indicatory of and arising from different associations, but by no means an inferiority in moral feeling or principle, the circumstances in which new settlers are placed, tempt or compel them to many deviations from the line they would steadily pursue in their native country. With these deviations, when they do not pass into any thing really immoral or improper, but are confined to bluntness or even rudeness of speech and conduct, the new settler, if he does not himself deviate likewise, must put up, for the sake of the hearty and neighbour-like sociality and assistance that accompany and compensate for them.

Australasia, which stands so high with regard to its physical advantages, capabilities, and prospects, cannot retain that rank, when we examine into its intellectual or moral state. On this, as on many other topics, common sense and a knowledge of human nature will lead us to the truth, whereas the testimony of eye-witnesses might lead us astray; every settler in Australasia must take into his service convict-labourers; men who, in fact, are slaves, and are treated in many respects as such, and who besides being slaves, have been criminals: if they have a motive to good behaviour which the slave has not, in the hope of thus shortening their captivity and gaining a higher station than they ever held; they have also bad habits, taken in the mass, which slaves, taken in the mass, have not. We know that masters employing slaves, that is, degrading their fellow-creatures, become themselves degraded, and assuredly masters employing convicts, must be exposed to a similar degradation. But even allowing that they escape by the power of their good principles and habits, to what risk of contamination do they

expose their children: the best servants are not the safest associates for children, whether we regard their manners and language, or the infinitely higher objects, their intellectual and moral education; what then must be convict-servants; and how is it possible, especially in the circumstances of a new settler, for him to keep his children aloof from them. It may be said that many of them are trust-worthy, faithful, and unobjectionable in their conduct: we do not deny this; but a man would be as little justified in exposing his children to them in the expectation of getting such convict-servants, as he is in buying a ticket in the lottery in the hope of obtaining a prize.

Convict-servants constitute an inherent defect in the moral state of Australasia, which will probably display itself for some time after it shall cease to be a convict settlement. There is another source of depravity and licentiousness in the "vast and alarming disproportion which exists between the sexes, the number of males being to the number of females nearly as four to one."—*Wentworth*, vol. i. p. 364.

To counteract these causes of moral evil, there are undoubtedly schools as numerous and respectable as could well be expected in a new colony. "Public masters, who receive stipulated salaries from the Police fund, are distributed through the various districts, and keep day-schools, at which the children of the poorer settlers attend and are instructed either gratuitously or for a very trifling remuneration, as the circumstances of the parents may allow" [p. 358.]. All the public schools are also sabbath schools. There are also several very good private seminaries in various parts of the colony. These, however, can hardly be regarded as sufficient to counteract or prevent the moral infection which the system of convict-servants must generate.

Society in Upper Canada is free from this taint; but the settlers in general are represented as very ignorant, obstinate, and untractable: at a great distance from the influence of civilization and improvement, immured in vast forests, compelled to toil incessantly during one portion of the year, and comparatively cut off from all labour during the other portion, and these settlers, originally possessed of little information or refinement, are soon and easily converted into most unpleasant and unimprovable boors. "It is, indeed, lamentable to think," observes Mr. Howison, "that most of the improved part of this beautiful and magnificent province has fallen into such 'hangmen's hands!' and to feel convinced that the country will retrograde in every thing that is truly great and desirable, and

remain detestable to persons of liberal ideas, as long as these boors continue to be the principal inhabitants of it. You, my dear friend, will perhaps conceive that the description I have given of the general character of the people is a good deal exaggerated, but my opportunities of observation have been so numerous and extensive, that I can vouch for the accuracy of every thing I have stated respecting them. But it must be remembered that I describe them such as they appeared to me, and affected me personally, during the intercourse I have had with them."—[p. 153.]—Both in Australasia and Upper Canada, clergymen of the established Church of England are appointed and paid by government, but an established clergy are feeble barriers against the contagion of vice and barbarism, even in old and populous countries.

The state of society in the western districts of America must be formed by a variety of causes: of these the most common and powerful undoubtedly are, the prevalent character of the Americans, and the influence of the circumstances in which all new settlers are placed. The national character of the citizens of the United States contains some very obvious and peculiar elements: they are justly proud as well as vain (for pride and vanity may be united) of their constitution; every man knows and feels that from him the government originates, and for his welfare it is carried on. Such, however, is the inconsistency and contradiction of human nature that, as the author of the Summary justly observes; and his observation is confirmed by all who have studied the American character:

'With respect to the love of liberty, which passion the Americans suppose themselves to possess in an extraordinary degree, and on which they much value themselves, an equivocal character only can be given, since they are less anxious to have liberty universal than would be the case were that passion properly grounded in them. They are certainly the friends of free governments, that is of governments under popular control; and they take a lively interest in the struggles of the people of other countries to obtain their just rights; but then, so regardless are they of the injustice of slavery at home, that their policy is directed to extend and perpetuate it. This I give as the character of the majority. The people of the northern and middle States have indeed not only abolished slavery, but they testify their abhorrence of it, and lament that a vestige of it should continue in the country, considering it as their greatest disgrace; yet they are so inconsistent with their professed principles, as to refuse to give true and rational liberty to those amongst them whose skins are a tinge darker than their own. They will not allow a man of negro origin to be a magistrate, a legislator, or even a juryman. They are willing to grant liberty and equality, where neither their imaginary interest nor their prejudice interferes to prevent it; but

let either of those present itself, and they are reluctant to make any concession; in which they are on a level with the tyrants of antiquity, and the self-styled Holy Allies of our own time: for what but interest or prejudice prevents those high personages from acting conformably to just principles of liberty?'—p. 490, 491.

In another place the same author informs us—

'In the northern and midland States where slavery has ceased, that the prejudice should be so strong as it is, may excite both wonder and regret. If a white person were to walk arm-in-arm with a black, in Broadway or any other of the leading streets in New York, he would probably be hooted and pelted by the populace. I was once conversing in one of the streets of Paris with a New York citizen, when two genteelly dressed persons, the one a white the other a black walked by us in the way I have mentioned. My acquaintance instantly calling my attention to them, expressed his astonishment and abhorrence at a white man's so degrading himself. His surprise, then, may be easily guessed, when I informed him that there was not the slightest degradation in it in the estimation of Europeans. Soon after, I fell into company with another gentleman from New York to whom I mentioned this circumstance, when he told me, that as he was travelling in France by the public stage, a black woman was one of the passengers: but that rather than sit at the same table with her as the other passengers did, he chose to go without his dinner. A gentleman at Philadelphia told me, that he had lost his credit for veracity, by mentioning to a company of his fellow-citizens, that he had seen a black man in London sitting on a sofa with some young white ladies, and conversing familiarly with them. And another person told me, that as he was walking in Edinburgh with some American women, they were quite shocked at the sight of a mulatto gentleman with two white ladies walking with him, one on each arm. The Americans hardly knew how to repress their indignant feelings. I will now mention an instance to show the hardship which is sometimes felt by the blacks, in consequence of this ridiculous prejudice. A black woman applied for a passage by the ship which conveyed me to New York, but the captain objecting, she offered to take her meals at a separate table. This concession, however, was unavailing, for he refused to take her on any terms. On his mentioning this circumstance during the voyage, he was much applauded by the American passengers, particularly by the females, who so far from sympathizing with one of their own sex under such a difficulty, rejoiced heartily at the captain's decision, and said that they would sound his praises in New York for it.' —*Summary*, pp. 280—282.

This inconsistency in the character of the Americans, however, their national pride and vanity, mixed up as they are, in the new settlement, with many traits that are grating and unpleasant to a Briton, are mere trifles compared with the evils of convict labour in Australasia, and the ignorance and boorishness of Upper Canada. In point of information the settlers in

the Western States are much superior to those of the other two settlements; and though the means and opportunities of education are of themselves not much more numerous and easy of access in the Western States than in Canada, in the most secluded parts of which Mr. Howison informs us [p. 274] schools exist; yet the effects of education must be greater where it is aided, than where it is counteracted or unassisted by the character and pursuits of society.

While the rage for emigration, created or nurtured by political causes, existed, the United States were generally preferred, solely on account of the freedom they enjoyed; with little or no consideration of their advantages and disadvantages in other respects, compared with other countries. At present, physical advantages seem to weigh most with the majority of emigrants; the state of society as to manners and morals is the next consideration, and political circumstances are not much, or often, taken into account. But as these ought to be taken into consideration, both for their own sake and for their influence on the worldly prosperity and the intellectual and moral progress of the settlers; and as they are actually taken into account by those emigrants, whose good is best worth consulting, we shall, in the last place, inquire in which country, Australasia, Upper Canada, or the Western States, the political advantages are the greatest. So far as taxation is concerned, they are all nearly on an equality; the taxes in all being so very trifling, that they cannot be felt as a burthen.

Not so, with respect to saying and doing all that a person chooses, provided it does not injure his fellow-citizens, or the government; nor to the mode in which such injury is ascertained and punished. In all our colonies, the governor possesses the power of sending any person out of them, whom he deems turbulent and dangerous; we do not inquire whether this power is necessary; it exists—has been exercised—and may be exercised again. It may be said that, if a person is quiet, he will experience no trouble—that, if sent out of the country unjustly, he has his redress in Britain, and that, therefore, the existence of such a power ought to create no alarm. But, setting aside all the feelings and principles of a man ardently devoted to liberty, who thinks he has a right to enjoy it himself, and that he is bound to communicate it to others; the very idea that he is within the circle of despotic power frets and agitates him, and tempts him to deeds that may provoke it; in the same manner, as a man, naturally or habitually indifferent to out-of-door exercise, would feel a longing for it, and would be tempted to take it, if he were told that he must not stir out of the

house. As for the redress of a single, and probably a ruined, settler, against the power that has ruined him, it is adding mockery and insult to injustice and oppression, to mention it.

Let us next inquire into the other constituent parts of the government of Australasia and Upper Canada. In Australasia there is a legislative council; but no legislative assembly; the act creating the council declaring that it is not expedient at present to call a legislative assembly in the colony. It consists of from five to seven members, appointed by the Crown, and removeable at pleasure. The most important and salutary provision of the act, declares, "that all laws and ordinances to be made in the said colony, and all orders to be made by his majesty, his heirs, and successors, with the advice of his and their privy council, in pursuance of this act, shall be laid before both houses of parliament within six months at latest next after the commencement of each session." Hence it will appear that the inhabitants are not even virtually represented, and that their interests, as well as their liberties, are entirely in the power of the governor and council; subject to the inquiries and control of the British parliament. Trial by jury is unknown: criminal cases are to be prosecuted by information in the name of the attorney-general; and all issues of fact joined on every such information shall be tried by a *jury of seven commissioned officers of his majesty's sea and land forces, whether in full or half pay;* such jurors to be nominated by the governor for the time being —liberty of challenge is given. This is, in fact, as Mr. Wentworth remarks [p. 348], "a military court-martial, under the direct control and appointment of the governor, or the person who may, for the time being, exercise his functions. The government of Upper Canada consists of a governor, lieutenant-governor, a legislative and executive council, and a house of assembly, all, except the last, are appointed by his majesty; the house of assembly is composed of forty members chosen every four years, by persons who are possessed of property to the clear yearly value of forty shillings. The criminal code of England and trial by jury are established.

The United States present to the emigrant who is anxious to secure to himself and his descendants the largest portion of practicable liberty, the most powerful motives to fix his abode within their territory. Each state is sovereign and independent, choosing its own governor, and legislative assemblies, and through them enacting laws, regulating taxes, making improvements, &c. as far as regards its own individual welfare. The general government enacts laws in all cases where the interest of the whole Union is concerned, and regulates their

commerce and their transactions with foreign powers. How much more certainly and effectively must the local and individual interests of any district be promoted by this form of government than it can be in the cases of Upper Canada and Australasia, over whom the British ministry and parliament exercise a supreme control; it may even be questioned whether the local government of Upper Canada, with power extended over the whole province, can watch over and regulate the interests of any particular district with the same care and judgment as are displayed by the respective governments of each of the twenty-four states that form the American confederation. The citizens of one state have all the privileges of the citizens of the several states. Each state is entitled to the protection of the United States against foreign invasion or domestic violence. The sovereignty of each state rests in its inhabitants, and is embodied in its executive and legislature. Thus the utmost security is given to every inhabitant of the United States, considered solely as a member of any particular state; and similar security invests him as a member of the entire confederation.

It is not our intention either to enter on a general panegyric on the constitution and laws of the United States, or to give an abstract of them. We shall content ourselves with pointing out those immunities, privileges, and laws, which most directly and powerfully affect personal liberty and property.

'There are no tithes,' says the author of the Excursion, 'no poor-rates, no excise, no heavy internal taxes, no commercial monopolies. An American can make candles if he have tallow, can distil brandy if he have grapes or peaches, and can make beer if he have malt and hops, without asking leave of any one, and much less with any fear of incurring punishment. How would a farmer's wife there be astonished, if told that it was contrary to law for her to make soap out of the potass obtained on the farm, and of the grease she herself had saved! When an American has made these articles, he may build his little vessel, and take them without hindrance to any part of the world: for there is no rich company of merchants that can say to him, "You shall not trade to India; and you shall not buy a pound of tea of the Chinese; as, by so doing, you would infringe upon our privileges." In consequence of this freedom, the seas are covered with their vessels, and the people at home are active and independent.'—p. 71.

'Most other governments are maintained by force. In every direction, we meet with soldiers, civil officers, nobles, prelates, and all the other appendages of despotism; while the mass of the people are oppressed, hoodwinked, and plunged into a state of political slavery. But in the United States one looks in vain for any thing of the kind; and a stranger, on going through the country, exclaims, "Where is the govern-

ment? what is it? I see nothing of it." It is almost impossible for Europeans to form any idea of this, so profoundly ignorant are they in general of all real liberty.'—p. 69.

The truth of the allegation, in civil and criminal prosecutions for libel or slander, is admitted as a reason for acquittal. There is no exclusive national church; ecclesiastical courts are unknown. Entails have been abolished in every state; a person may make what will he pleases; but if he die intestate, the law divides his property equally amongst his children of each sex. The writ of habeas corpus cannot be suspended, except in times of invasion and rebellion.

'In order to prevent an undue exercise of power in the general government, which might tend to affect the rights of the states or those of citizens, it is declared that treason shall consist only in levying war against the United States, or adhering to their enemies, giving them aid and comfort; that no person shall be convicted of treason, but on the testimony of two witnesses, or on confession in open court; that no attainder of treason shall work corruption of blood or forfeiture, except during life; that no law respecting the establishment of religion, or prohibiting its free exercise, can be made; and that the liberty of speech and the press, the right of the people to assemble to petition Government for a redress of grievances, and their right to bear arms, cannot be abridged or infringed. To prevent oppression, it is provided that no soldiers shall be quartered in any house in time of peace, without the consent of the owner; and to secure the citizen from unreasonable search, it is declared, that no warrants shall issue, but upon probable cause, supported by oath or affirmation. It is also provided, that no person shall be held to answer for any capital or infamous offence, except in the land and sea service, unless in presentment or indictment of a grand jury, nor answer for the same offence twice; that in all criminal and civil suits, above twenty dollars, he shall have the right of jury trial; that he shall not, in any criminal case, be compelled to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law. In criminal prosecutions, the accused shall enjoy the right of a speedy and public trial by jury of the district in which the crime was committed; to be confronted with the witnesses against him; to have compulsory process for witnesses in his favour, and the assistance of counsel; and finally, that excessive bail shall not be imposed, nor cruel and unusual punishments inflicted. You will easily discover, and it must always be understood, that the powers not expressly delegated, are reserved to the states and the people. All constructive or assumed powers are considered as dangerous to the liberties of the citizen, and fatal to the rights and the union of the states.'—*Hodgson*, vol. ii p. 173—175.

'The representatives of Congress are elected every second year, by the people of each state; these representatives, with the Senate, possess the whole power of legislation. The qualifications of representatives

are very simple. It is only required that they should be citizens of the United States, and have attained the age of twenty-five; the moment their period of service expires, they are again, unless re-elected, reduced to the rank and condition of citizens. If they should have acted in opposition to the wishes and interests of their constituents, while performing the functions of legislation, the people possess the remedy, and can exercise it without endangering the peace and harmony of society; the offending member is dropt, and his place supplied by another more worthy of confidence. This consciousness of responsibility on the part of the representatives, operates as a perpetual guarantee to the people, and protects and secures them in the enjoyment of their political and civil liberties.'—p. 185.

We have exhibited enough of the constitution and laws of the United States to satisfy the emigrant that, as a citizen of them, he will enjoy a much larger share of liberty than he would do as an inhabitant of Upper Canada and Australasia.

It may, then, we presume, be concluded, from what has been said, that agricultural labours constitute the class which, by emigration, will escape from most evil here, encounter least evil in the country to which they emigrate, and reap with most certainty, and in the shortest time, the advantages of emigration: that for them, Upper Canada and the Western States are the most eligible; and if they have a working family Canada should be preferred, because there, they can obtain a free grant of fifty acres, from which their own labour, assisted by that of their family, will soon derive a homely but certain support. Perhaps we might add, that, even labourers without a family ought to prefer Upper Canada, because in it, all the savings of their wages can be employed in clearing and cultivating the land they obtain; whereas, in the Western States, part of their savings must go towards the purchase of it.

That persons skilled in agriculture, with a capital from £.500 to £.1000, and a family brought up to plain fare and hard work, are the class next likely to benefit themselves by emigration; the evil they will thus escape from here will not be so great as that of the former class, since the latter must go to the poor-house; whereas, those we are now considering will only sink to a lower grade; yet, to their apprehensions and feelings, this degradation may be as formidable. The evils they must encounter by emigration will, however, be greater, because of a description from which they have been further removed in their native country. Hard work, a log-house, and plenty of homely fare, with good wages, are blessings to those who here can either get no work, or work as hard for less than half the wages; who live on poor and insufficient food, and in a cottage not equal in comfort to a log-house; but the change must be

for the worse to those who here have not been accustomed to regular and constant hard work, and who have enjoyed the comforts of the table and a roomy well-furnished house. To them, Australasia presents the most physical advantages—a soil in fertility equal, and from the finer climate, in variety of produce superior, to that of Upper Canada or the Western States; labour cheaper; readier, surer, and better, markets:—the drawbacks, convict labourers; the direct influence of them on the comfort and morals of the family; and their indirect influence on the manners and morals of the society at large.

On those who are doing well in their own country, and who have a fair and reasonable prospect of settling their children well, but who are desirous of bettering their own and their family's condition, not merely in a lucrative point of view, but in the more honourable and praise-worthy point of civil and religious freedom, we would, in the first place, impress most strongly and repeatedly the Italian Epitaph:—"I was well—wished to be better—and I am here." Deliberation and choice are, in a great measure, taken away from others; here they are sinking, and must sink; abroad they must succeed, with industry, perseverance, and frugality; and as they are driven from their native country by an overpowering force, so abroad they will be goaded on by a stronger impetus; the good they anticipate is nearer their reach, in so much as the supply of physical wants in all new countries is sooner and more readily obtained, than that supply which is necessary to satisfy the wants of men of more intellectual and disinterested views. If they emigrate to the cities or old settled parts of the United States, they must prepare themselves to sacrifice their lucrative for their political prospects, as, from every account, there is scarcely any profession or trade that thrives so well there as in Britain, and there are many for which there is scarcely any demand. If they emigrate to the Western States, they must prepare themselves for the endurance, probably for many years, of physical evils, to which here they have not been at all accustomed, and which may put to flight, when it is too late, their love of liberty, unless it be very firmly rooted, and built on principles, and not on mere feeling. In short, to those who are driven out of their own country by physical evil, and who wish to obtain merely physical good, and who have only their labour to depend upon for its obtainment, Upper Canada is the fittest country; to those who are driven by this cause, who have the same object in view, but who can labour, and possess capital, Australasia is the fittest country; and to those who emigrate principally to improve the political condition of themselves and

their children, the Western States are the fittest country. The descendants of all these classes will reap much more benefit from emigration than the emigrants themselves; but the emigrant-labourer will reap the benefit much sooner than either of the other two classes.

We have purposely confined ourselves within the limits of general information and advice: if, by means of it, a person can satisfy himself whether he ought to emigrate, and, if he ought, to what country, we have performed what we undertook to do. He must have recourse to the best and the latest works on the country he fixes upon, to ascertain the particular district to which he should direct his steps; or, what would be still better, he should explore and examine for himself. The expense, and best mode of arriving at his destination—the articles he ought to carry with him—and all the minutiæ of his proper proceedings on his arrival and first settlement, should be learnt as near as possible to the time of his emigration, through private information, where it can be obtained, carefully compared with that supplied by books. But above, and before all, let the intended emigrant err on the safe side: calculating on a greater expense—a longer period of hard labour—more difficult, and slower returns; and anticipating a greater degree, as well as a greater variety, of inconvenience, discomfort, and serious as well as petty trouble, than accounts, either private or public, hold forth. If this advice be pursued, some may be deterred from emigrating who would be benefited by it: but none, who would not thus be rescued from ruin here; or who, for the sake of securing to their descendants worldly, and much more especially, political independence, would not most cheerfully undergo a larger portion and variety, as well as a longer duration of evil than even this mode of estimating it would set in array before them; and these are the proper emigrants:—Men who prefer hard labour to poverty and adversity; and men who deem their childrens' welfare, worldly and political, cheaply purchased by the sacrifice of their own present ease and comfort.

The facts stated—the observations made—the information and advice given in this article are drawn partly from private sources, on the accuracy and impartiality of which we can place the firmest reliance, and partly from the books, the titles of which we have prefixed and numbered. Nos. 6, 7, and 8 have already been reviewed; and to the respective notices and characters of them we refer our readers. After the opinion we pronounced on Mr. Talbot's work, it may seem inconsistent to draw any information from it; but our own experience coincides with the experience, and is supported by the authority, of the

elder Pliny, as stated by his nephew:—" Liber legebatur: adnotabat, excerpebatque. Nihil enim leget quod non excerperet. Dicere enim solebat, Nullum esse librum tam malum, ut non aliqua parte prodesset.

No. 1, is badly arranged, betrays a party, as well as a partial spirit, and is loosely and carelessly written; but by the exercise of some care and judgment, and the comparison of different parts, many particulars relative to Australasia, important in themselves, and useful to the emigrant, who makes due allowance for the author's partiality, may be gathered. The most novel and interesting portion of the work relates to the lately-discovered districts of New South Wales. We are by no means disposed to estimate so highly as Mr. Wentworth does, the letters to Mr. Peel, by a friend of his, on the advantages of New South Wales, as a penal and wholesale paupers' settlement. The subject is too comprehensive for the grasp of this writer's mind.

So far as Van Diemen's Land is concerned, we can recommend No. 2, as a more trustworthy and instructive book, than Mr. Wentworth's; it seems drawn from good sources, during a three years' residence, by a clear-sighted, judicious, and impartial person, and is written in a plain and popular manner.

No. 3, is a far superior work to all the rest, in its display of talent and authorship. The portion that relates to Upper Canada, where the author spent two years and a half, 283 out of 353 pages—exhibits the rare union of precise and clear information, and sound and judicious advice, for the intending emigrant, with details, general views and reflections calculated to instruct, and to gratify those who read with a more intellectual object in view. We could have wished, that the description of the falls of Niagara had been written in a less ambitious style. Nature, always simple in her most grand and sublime works, is most clearly and fully reflected to the mind, which has not witnessed these works, by simple language. The portion of this book relative to the United States, is meagre; and, moreover, unlike the prior part, both in talent and tone.

The author of No. 4, who derived his information during his campaigns and abode, as an officer, in Canada, is as much inclined, beyond the line of impartiality, in favour of it, as Mr. Wentworth is, with regard to Australasia. This settlement, but more especially the United States are run down to exalt his favourite. The reader will soon perceive this; and from it, and the quotations from Scott's Novels and Poems, Moore, Sterne, &c. that introduce, or adorn the letters into which the work is thrown, he will not expect much sober

and useful information. Let him, however, in this case rely on the elder Pliny's experience and on ours, for we can assure him, that many particulars on the subject of Upper Canada, as a proper place for emigration, may with due care and judgment, be extracted from this work.

Of the 100 pages contained in No. 5, sixteen are taken up, with pointing out the preferable qualities of Upper Canada, and with instructions for the passage to Quebec: from p. 16, to p. 39, contains the journal of the Author's voyage. The remainder is occupied with directions to the emigrant, in what manner to proceed to York in Upper Canada; useful information for the selection of a good spot; and details of the mode and expense of building a house, clearing and cultivating the land—the vegetable and animal productions—manners of the inhabitants, &c. If the Author had rendered these more minute and full, and omitted, or greatly curtailed his Journal, the utility of his work would have been increased, at no increase of bulk or price: to have done this, however, in a satisfactory and trust-worthy manner, he should have delayed the publication of his work, till he had had more experience than could be gained in five months: he arrived at Quebec on the 28th August, 1819, and the Preface is dated, Upper Canada, January 20, 1820.

No. 9, the result of upwards of a year's travels, often on foot—as well as in private carriages, steam boats, stage coaches, and canal boats from Massachusets to North Carolina, contains scarcely any thing that is peculiarly adapted to emigrants; it gives, however, in rather a superficial tint, in a luminous and candid manner, information on all the topics enumerated in the title page; and will undoubtedly serve the cause of truth and justice, by annihilating, or greatly weakening, the absurd prejudices, which, not less to our disgrace than to our dis-service, still linger among us, on the subject of the United States, especially the alleged want of religion there, in consequence of their being without a religious establishment. On this point, the testimony and opinion of our author are decided, and do great credit to his sagacity and liberality.

'Assemblies of almost every denomination of Christians exist in the United States, generally in harmony. No religion being in alliance with the government, one great cause of jealousy and dislike is removed. No large endowments being in possession of any denomination, and the incomes of the clergy being regulated in nearly all cases by their congregations, but little disparity of station in society exists amongst them. Hence the proud, consequential air so obvious in some of the English clergy, is seldom or never seen. Nor is there much appear-

ance of difference in dress between the clergy and the laity. Except that black is a more prevalent colour among the former than the latter, I observed nothing by way of distinction. Yet, though without a badge to impress the populace with the opinion of sanctity, without gilded chariots to loll in, without the prospect of obtaining rich sinecures to operate as a stimulus, they have great influence. The rivalship between the different sects, instead of producing a constant jar as might be supposed, seems to be productive of a decent observance of religious duties amongst all classes. In few countries, if any, is public worship more generally attended than in the United States. Instances of openly avowed deism are rare. Persons who hold deistical opinions generally either keep them to themselves, or veil them under the garb of flimsy hypocrisy. I recollect only two persons of all with whom I conversed on religion, who unhesitatingly proclaimed their disbelief in Christianity; though I met with several whom I suspected to be concealed deists. In many parts a man's reputation would be seriously injured if he were to avow himself one.

'But though instances of avowed deism are rare, a strong deistical feeling is apparent in the opposition made to missionary societies. Those societies have certainly deputed persons to the task of heathen conversion, who, in many instances, have been as little qualified for the duty as Robespierre to establish liberty. But because some of their agents have acted improperly, sometimes manifesting undue presumption, sometimes interfering too much with political affairs, and on most occasions evincing fanaticism, are we to infer that no good has resulted from their labours? Far otherwise: but the American opponents of those societies have endeavoured to persuade the public that evil, without any redeeming qualities, has been the result. On examining some of the numerous pamphlets on missionary societies, I was struck by observing that the opposition to them was not founded on a well-grounded jealousy of the cause of Christ being injured, but in a concealed hatred to vital Christianity. Yet neither their labours against missions, nor against Christianity itself (which though concealed, are still apparent), have had the effect of withdrawing public support from them; still less, of inducing a neglect of public worship, or a contempt for the practisers of it.

'From these circumstances, those persons who suppose that a compulsory provision for the clergy is necessary to the support of Christianity, may see the groundlessness of their opinions. They may also learn that ecclesiastical authority may be maintained without an alliance with the State, in matters purely ecclesiastical. Prelacy, both Protestant and Catholic, is established in America; and though with respect to the latter, it has been found defective on one or two occasions, that is no more than has been the case in England and Ireland with the Established Church. So long as Virginia continued a British colony, the episcopal clergy were supported by tithes, or rather by a smaller provision of the same nature. In whom the superior authority was lodged I cannot state, there being no bishop in the colony. But I was assured by many persons that they were

exceedingly lax in morals, and negligent of their duties; so much so, indeed, that their Church sunk into disgrace from which it has not yet fully emerged. After the alliance with government was broken, an amendment was soon perceptible; a convincing proof of the inutility of the alliance. Another point of importance proved by the experience of America is, that edifices for public worship will be built and kept in repair, without any rate being levied on the inhabitants. Not only so, many of them are not merely commodious and comfortable; they are ornamental. Their number, too, seems quite as proportionate to the population as in England. This is exemplified in the following list of those within the limits of the city of New York, which will be examined with interest by such persons as like to trace the progress of religious sects. It was made out in the summer of 1823:

Episcopalians	15	Moravians	1
Presbyterians	14	Evangelical Lutherans	1
Methodists	13	New Jerusalemites	1
Reformed Dutch	10	Reformed Presbyterians	1
Baptists	10	Associate Presbyterians	1
Friends	4	Universalists	1
Lutherans	2	Unitarians	1
Catholics	2	German Reformed	1

Besides these, there are a Mariners' Church and one at the Alms-House, neither of which is exclusively for one body of professors, and a Jews' Synagogue. The population for whose use they are built, is about 130,000. Let this statement be compared with a similar one of Liverpool, Manchester or Birmingham, and it will, I believe, be found to show, that accommodations for worshippers are equal, if not superior to those in each of those towns. Yet, be it again observed, that every one in the United States is left at liberty to pay or not as he thinks fit, or, if there be any exception to this, it is I believe only in the small State of Rhode Island, where the original colonial charter is still in force: yet even there, it is optional with the person paying, to fix on the sect to which the amount levied shall be transferred.'—*Summary*, p. 162—167.

ART. IX.—*Memoirs of the Life of J. P. Kemble, Esq. including a History of the Stage from the Time of Garrick to the present Period.* By James Boaden, Esq. 2 vols. 8vo. pp. 1071. 1825.

THIS work would be insufferably dull, were it not supremely ridiculous. Happily, extravagant absurdity when quite harmless yields a peculiar and racy kind of enjoyment which we should look for in vain in much more regular and respectable productions. Mr. Boaden, it appears, has been a flutterer about the theatre for a great number of years; has taken deep interest in all the incidents of its history, and was proud to become the satellite of one of its principal ornaments, the late

Mr. Kemble. He has accordingly published a very big book in two thick 8vo volumes occupied with every body and every thing which appertains or could be made to appertain to the stage for the last fifty years. It is written in a pompous kind of style compounded of a bad imitation of Dr. Johnson, with a worse of Gibbon. How nearly Mr. Boaden approaches to his models may be imagined when it is known that he is fully master of the whole vocabulary of the great lexicographer, at the same time that it would be difficult to fix upon one word of which he understands the accurate meaning. Like the property-room of his own favorite stage, all is confusion, pretension, and squalor; his style is tinsel, and his matter rubbish. It does not require qualifications of a very uncommon kind to write a decent book—a trifle of logic, some discipline in orthography, and a grammar rule or two, together with a superficial knowledge of the subjects, go a long way to the composition of a saleable article. Mr. Boaden does not, except in a few instances (such as parodox for paradox) spell amiss, and he has more than a scanty knowledge of the matter in hand, if knowledge of a subject consists in a familiarity with its details; but grammar and sense are the objects of his supreme contempt. To make up for this he has attained the highest pitch of excellence in the sublime art of mystification; he cannot record the birth of a play, or the run of a farce in any thing beneath a riddle or an oracle. Conceive a writer with a very moderate portion of talent of any kind, and almost entirely destitute of judgment and taste, totally ignorant of all things but the chronology of the stage; accursed with a huge passion for quadri-syllables, and the ambition of fine writing; conceive such a writer labouring to sustain himself at a truly tragic elevation through nearly twelve hundred pages of criticism and narration; and you have Mr. Boaden, the author of the Life of Kemble. To do him justice, however, he is always *theatrical*; he ushers in a date with a flourish of trumpets—a death is recorded to the sound of solemn music—he characterizes an actor in heroics—hints at his facts as if they were behind the scenes, and has a knack, instead of narrating simply, of talking about and about an anecdote *knowingly*, as if it was already familiar to his audience, and could be made sufficiently plain by a few cunning nods and becks. A *point* is his supreme delight, and his joy is great if he can finish his paragraph with a *coup de theatre*.

It may be supposed that a man of this stamp is no unamusing companion, and we frankly confess we have been less entertained with many a good book. In order to propagate our amusement, we shall make a selection of the most characteristic parts of Mr. Boaden's lucubrations.

The opening of the work is an important occasion. The following commencement is dignified, and reminds us of other great works:

'The biography of an actor is the record of his art. To endeavour after any other fame than excellence in his profession, will be injurious rather than salutary, and probably unsuccessful. The studies connected with his art are fully sufficient to occupy his leisure hours, and to divide attention is certainly to weaken it. The less notice the actor excites off the stage, the better for himself and the public.'—Vol. i. p. 1.

Mr. Kemble's father was manager of a strolling company in Staffordshire and the adjoining counties. Mr. Boaden was introduced to him by his son John: that remarkable event is recorded in a suitable manner.

'He was sitting in his son's library, and from a peculiar costume that he had adopted from liability to take cold (a partial silk covering for the head), he looked to me rather like a dignitary of the church two centuries back, than a layman of the present age. Our introduction to each other was at once simple and expressive. "This, sir, is my father." And to the old gentleman, "Allow me to present to you my friend, Mr. Boaden."'—Vol. i. p. 5.

The biographer was likewise in company with Mrs. Kemble, the old gentleman's wife:

'His mother had been a distinguished beauty in her youth, and had once been *tempted by a coronet*. What remained of her was of the highest order. She had very uncommon vivacity and point in her conversation. As I sat next to her at dinner, I had full opportunity to remark and enjoy the soundness of her judgment and the peculiar energy of her expressions. I should fancy, among her own sex, that she must have been deemed, like Dr. Johnson, *a tremendous converser*.'—Vol. i. p. 5.

Mr. Boaden describes his conversation with this tremendous person, the mother of Mrs. Siddons. He says she took an opportunity of speaking to him aside of the merits of her husband, and that she finished her eulogium by "a touch of valuable discrimination." There" (pointing to old Mr. Kemble, who was sitting by the fire-side), "there sits, unconscious of our remarks, the only *gentleman* Falstaff that I have ever seen."

We hear much of John Kemble's profound studies in his youth; the depth of his penetration, and the extent of his learning are confirmed by his criticism on Aristotle:

"In recapitulating his Greek studies, he assured me that his early impression from some of the writings of the Stagyrite had never been weakened; and that he thought the intellect of that philosopher superior to all competition." [Vol. i. p. 9.] Mr. Kemble was an author as well as an actor; but of his

works we shall say nothing; first, because we never met with them, and next for Mr. Boaden's reason—"As I believe he never revised any of these early poems, but *left them under final anathema*, I shall quote from neither of them."—p. 30.

We may, however, in passing, just notice in the words of Mr. Boaden, Mr. Kemble's ode to the memory of Inchbald—rather, however, we must confess, for the sake of the ingenuity of the parallel, than from any anxiety for Mr. Kemble's poetical fame. "To the memory of his friend Inchbald he addressed a blank ode, in imitation of the admired one to Evening, by the poet Collins. Its opening images have too close a similarity; but *Kemble is clearer as to his sense, because less involved in the grammatical construction.*"—Vol. i. p. 32.

John Kemble, however, is not the only hero of Mr. Boaden's stage—indeed, he scarcely occupies a greater space than he would be entitled to in any history of the drama for the last fifty years. He merely takes a principal part among inferior actors. Henderson also was a great man, and is mentioned at a suitable length, and in becoming terms.

'The power of Henderson was *analytic*. He was not contented with the mere light of common meaning—he shewed it you through a prism, and refracted all the delicate and mingling hues that enter into the composition of any ray of human character. Besides the philosophic ingenuity of such a design, he had a voice so flexible, that its tones conveyed all that his meaning would insinuate. I will try at least to make this clearer by an instance, and it shall be taken from a common book, 'The Sentimental Journey,' which every body has read to *himself*; and few, who have heard Henderson, would, I should think, venture to read to *another*. It opens with this trite remark, 'They order this matter, said I, better in France.' As it stands it is a plain assertion, nothing more. As Henderson contrived to speak it, you felt, that vanity was trying to take credit for foreign travel, without having stirred from home—that it was not hearsay which he would deliver, but personal experience that he would insinuate. You knew from him distinctly, that it was a truth *finessed*. Let any other reader try this, and he will find what a task he has undertaken, and how little he can do. Often, with powers of mimicry that used to be thought exact, have I tried to give my ear once more what it received from his utterance; but I am sure that something was wanting in every effort.'—Vol. ii, p. 76.

Henderson was great in Falstaff. Mr. Boaden observes, that "*In* this bow of Ulysses, few actors of the present day presume to *shoot*." After speaking of the actor King, Mr. Boaden proceeds to Parsons—the passing from King to Parsons needs to be accounted for, and it is done thus:—"A strong principle of association sometimes felt, and frequently unperceived, combines the subjects of our thought. Parsons is associated with

King in our recollections by their constantly aiding each other in the drama." Parsons was the original Sir Fretful Plagiary in the Critic, and in order, as the biographer says, to "diversify his page," he introduces a critical remark upon this piece. His remark is this:

"It seems quite clear to me, that Sir Fretful should have been the author of the tragedy rehearsed, and not Puff," &c.

While, however, he is on the subject of the Critic, he begs permission to record a remarkable instance of the "*keen sense* of *the moral tendency*" in our audiences.

'On the first night of the piece, Puff entered abruptly upon his arts of assailing the charitable and humane, and those whom Providence had blest with affluence. The indignation of the audience here testified an apprehension that the best feeling of our nature might be chilled and checked by too marked an exposure of the impositions practised to excite it. The author found it necessary to insert a few lines (not printed) by which Puff disclaimed the wish 'to deaden our feelings or lessen our humanity. To put us on our guard, was, it seemed, essentially to serve the cause of true charity.' If the hearts of the audience were subdued by the apology, their judgment was reversed without a reason. The greatest moralists have taught, that the advantage to ourselves is the cultivation of benevolence into habit. Much reflection, and too close enquiry, leave time for the selfish passions to stop the charitable impulse. The man who deliberates will generally button up his pocket. Moreover, there is usually some distress where there is supplication. It may not be actually what it pretends; but let us not teach distrust upon system, lest it end in producing a habit of denial. There are many compensations for mistaken charity, none for hardness of heart.'—Vol. i. p. 64.

After he has characterized the male performers, and refreshed his reader with such luminous little moral dissertations as the foregoing, he proceeds to the actresses. We shall only quote what he says of Miss Farren. "It was her practice, from the weakness of her *organ*, to stand rather forward upon the stage." We were rather at a loss to discover the meaning of this, and at first imagined, that it was some weakness of the spine, or legs, which caused this celebrated actress to stoop. It soon appeared, however, that Mr. Boaden, by *organ* here and elsewhere, means "voice." — In vol. ii. p. 44, he says Bensley became absolutely sublime from the "virtuous energy that *thundered from his sonorous organ*." He adds, and we can readily credit it, that "it was really a display not to be forgotten." The word is probably not used in the same sense, when he says, upon occasion of Mrs. Siddons playing the Maid of Honour, that she suffered by a "comparison with the favourite *organs of the sportive muse*." And in characterizing Mr. Kemble's Hamlet,

he makes a curious distinction—" his utterance," he says, " in common parlance, seemed to proceed rather from *organization* than voice." We leave our readers to guess the sense of the word in this passage :

' The performances of Mr. Kemble were not, at the time of which I am treating, equal in effect to those of Mrs. Siddons. Their talents, although they bore a strong family resemblance, differed considerably as to their power, and, in some respects, character. The ORGAN of the brother was weaker than his sister's; he was, besides, very far indeed from his meridian.'—Vol. i. p. 157.

Mrs. Siddons, as well as her brother, very properly occupies a large portion of these volumes, and Mr. Boaden contrives to make even her ridiculous. In the following passage, audience, actor, and author, look equally foolish.

' She frequently fainted away at the close of her performances, and it was long before she was sufficiently recovered to be supported into her dressing-room. Nor were her effects upon her audiences less *distressing*. In her latter period, she called upon majesty and energy to supply the place of that exquisite tenderness, with which in her earlier days she had subdued every thing that wore the human form. Upon some *comparative babble* having reached her in her retirement, she one day said, ' To hear these people talk, one would think that I had never excited a tear.' Alas! excuse the unthinking idlers, *dear and incomparable woman!* If in Lady Macbeth the *terror* you excited was unequalled,—the *agony* produced by your Isabella, your Belvidera, your Shore, your Mrs. Beverley, as little *admitted any rational comparison.*'—Vol. i. p. 119.

His eulogies of Mrs. Siddons constantly remind us that she is the daughter of the lady whom he calls a *tremendous converser*. " I am sure that if Mrs. Siddons had remained longer on the stage, and devoted her last energies to the curses of Margaret, that she would literally have lifted the hair upon the heads of those who heard her." [Vol. ii. p. 59.] Mr. Boaden's touch is fatal—we dare say, Mr. Kemble behaved very properly in the duel with Mr. Aicken, in spite of the heroic account of his biographer. " They placed Kemble exactly as they pleased. Aicken went a few paces from him, perhaps he hardly knew how many, and *fired at his manager*—Fortunately for himself, as well as Kemble, he missed his aim. *To return his fire, Mr. Kemble refused*—" He had required satisfaction, and what he required he had now received."—Vol. ii. p. 60.

He sometimes succeeds better—take his story of Kemble " playing at taw."

' From Portman-square, Mr. Kemble and I continued our walk, till we came to Park-lane, where he saw some chimney-sweeps playing at

marbles. "Poor fellows" said he, "they have lost their patroness!" then going up to them—"Do you know, Boaden, that I think TAW the best thing I *play*?" I laughed, I believe, at the fancy; but he suddenly called out, as he had done when a boy, "*Fain dribbling*," and taking up a marble that lay at the greatest distance from the ring, he knuckled down, and in the *real* and *true* style struck out of it the marble he aimed at. He rose in the greatest glee to find he had lost no skill in this early accomplishment, and, dropping a *shilling* into the ring, in the *name* of Mrs. Montague, passed on.'—Vol. ii. p. 275.

The following is still more amusing to all those who recollect Mr. Kemble in Cato.

'This peculiarity of doing a whimsical thing with the most Cervantic gravity, displayed itself on another occasion in the lobby of the theatre, while he was manager. I had been dining with him and Mrs. Kemble, and in the evening we walked down to the house, as was his custom, to give his ultimate instructions for the night. As we entered the hall of the theatre, about a dozen soldiers were standing on each side of the fire-place, who had, perhaps, carried him off the stage, as Alexander, upon their shields. Upon seeing their leader, they all took off their hats to him, and stood firmly, as a soldier is taught to do. Kemble turned himself suddenly round to me, and said, "If you have a guinea about you, give it to me." He but seldom, I think, took much money out with him, and never carried it long. I gave him what he wanted, and then, with a wink, that led me to observe him, he gravely advanced to the soldiers, and thus addressed them.

'"Soldiers! when Cato led his army across the burning deserts of Lybia, he found himself parched up with drowth; in plainer words, he was *very dry*. One of the soldiers stepped out on this, unperceived, and brought him presently some water in his steel cap. What do you think Cato said to the soldier? I'll tell you. 'Comrade,' said he, 'drink *first* YOURSELF.' Now, I dare say, Cato never in his life led braver men than I at present see before me; therefore, to follow so great an example, do YOU drink *that* for ME." And he put the guinea into the hands of a non-commissioned officer. The manly troop sent after him a "God bless your honour!" and we went on to his dressing-room. "Boaden," said he, "I doubt I am not quite right in my story, but the BEER will help our friends to *swallow* it." He repaid me the loan very pleasantly, for he added to it, I remember, ONE HUNDRED pounds, that, some how or other, he had gotten for me from the treasurer. To resume the regular course of my narrative.'—Vol. ii. p. 276.

There is a delectable description of a scene between Kemble the manager, and Sheridan the proprietor, of Drury Lane Theatre. Mr. Boaden of course comes in for a share of the absurdity; but here we think his subject has helped him out.

'Mr. Kemble, as it has been stated, found himself greatly annoyed in his management; and he attributed his impediments to the indolence, often—oftener, I think, to the yielding good humour, of Sheridan. He

was, with the greatest difficulty, induced to retain his situation. Matters were carried in defiance of his judgment, and thus there were persons encouraged to contemn his authority. I was present one night in Suffolk-street, when he *denounced* his fixed, his unalterable determination. He expected Sheridan there after the house should be up, and aware of the great disarming powers of the orator, in a sort of inarticulate murmur, alarmed the party with the prospect of a scene; and as some very excellent claret was near him, he proceeded to fortify himself for the engagement. At length Sheridan arrived, took his place next to Mrs. Crouch at the table, looked at Kemble with kindness, but the kindness was neither returned nor acknowledged. The great actor now looked unutterable things, and occasionally emitted a *humming* sound like that of a bee, and groaned in the spirit inwardly. Crouch whispered two words in Sheridan's ear, which let him know, I believe, the *exact* cause of the present moody appearance of his manager. A considerable time elapsed, and frequent repetitions of the sound before mentioned occurred; when at last, "like a pillar of state," slowly up rose Kemble, and in these words addressed the astonished proprietor. "*I am an* EAGLE, *whose wings have been bound down by frosts and snows; but now I shake my pinions, and cleave into the general air, unto which I am born.*" He then deliberately resumed his seat, and looked as if he had relieved himself from insupportable thraldom. Sheridan knew the complacency of man under the notion of a fine figure, and saw that his eagle was not absolutely irreclaimable; he rose, took a chair next to the great actor; in two minutes resumed his old ascendancy. The tragedian soon softened into his usual forgiving temper; and I am ashamed to say how late it was when, cordial as brothers, I took one arm of Kemble, and Sheridan the other, and resolutions were formed "that melted as breath into the passing wind." '—Vol. ii. p. 74.

Of Sheridan's readiness and address, Mr. Boaden has given one happy instance, which luckily is not ill-told.

Palmer had been attempting to set up a rival theatre at the east end of the town. After various unsuccessful struggles to gain his point—he was struck with penitence, and returned to serve under his old masters. Palmer was the origina *Joseph Surface.*

'The return of Palmer again to Drury, was a subject of infinite importance, in a theatrical point of view, both to himself and Sheridan. The meeting between these men of *address* was therefore expected to produce something remarkable. Palmer made quite a scene of it. After his profound bow, he approached the author of the School for Scandal with an air of penitent humility; his head declined, the whites of his eyes turned upwards, his hands clasped together, and his whole air exactly that of *Joseph Surface* before Sir Peter Teazle. He began thus—

'"My dear Mr. Sheridan, if you could but know what I feel at this moment—HERE *(laying one hand upon his heart,)*

'Sheridan, with inimitable readiness, stopped him.

'"Why JACK! you forget *I wrote it.*"

'Palmer in telling the story himself, added, that the manager's wit cost him something; for, said he, "I made him add THREE pounds per week to "the salary I had before my *desertion.*" '—Vol. i. p 393.

Mr. Boaden having written a variety of pieces for the stage, as he assures us, it may well be supposed, that in this history of the drama, he is represented as large as life.

'Mr. Boaden, in reading the Guzman d'Alfarache, or Spanish Rogue, had thought that the story of Ozmyn and Daraxa might take the form of an opera, and afford an opportunity to display the musical science of his young friend Atwood. He therefore applied some leisure hours to it, and Mr. Sheridan gaily told him, "that his songs were better written, than any which he had read since the Duenna." How far this compliment was justified, he has now no means of estimating. Sheridan paid him faithfully for the piece, of which the author, happy as he was, kept no copy.'—Vol. ii. p. 81.

Again a similar fact is announced with a suitable degree of solemnity, and expressed with his usual felicity.

'Mr. Boaden had read the Romance of the Forest with great pleasure, and thought that he saw there the ground-work of a drama of more than usual effect. He admired, as every one else did, the singular address by which Mrs. Radcliffe contrived to impress the mind with all the terrors of the ideal world; and *the sportive resolution of all that had excited terror into very common natural appearances;* indebted for their false aspect to circumstances, and the overstrained feelings of the characters.

'Notwithstanding, therefore, his alarm at venturing within that circle, which none but Shakspeare had hitherto trodden with success, Mr. Boaden decided to make his experiment, and ascertain whether the failure of others had not proceeded from defective preparation as to the supernatural incident, or from its imperfect or vulgar exhibition.'—Vol. ii. p. 96.

On another occasion, he apologizes for recording his own achievements.

'The order of this work compels me again to speak of myself; but the recommendation of the illustrious doctor, just commemorated, shall be attended to,'

"On their own merits MODEST men are *dumb.*"—Vol. ii. p. 200.

Sometimes he announces his own parturition in a still more bashful manner, as thus:

'On the 3rd of June, a second tragedy from the pen of Mr. Boaden was acted, with applause, at Covent Garden Theatre. It was called the *Secret Tribunal*, and founded upon the romance, by Professor Kramer, called Herman of Unna. A critic of that time was pleased to write of it, that "the successive scenes were awful and impressive;" that "the

characters were drawn with a bold and spirited hand, and the general effect such as the author certainly intended." '—Vol. ii. p. 143.

Mr. Boaden is a desultory historian, and is not very particular about the relation of his matter to the subject; he frequently entertains us with his notions of things in general—more particularly if they have any connection with his own experience. For instance, he tells us how he is affected in the street sometimes.

'A person, like the present writer, long familiar with the stage, is often very strangely affected in his common walks for exercise or amusement. I this very day met, in his dining costume of black coat and white waistcoat, but walking rather uneasily to himself, Charles Dignum; whom I am here to record as having made his first appearance in London, at Drury-lane theatre, in the character of Young Meadows, on the 14th of October, 1784, nearly thirty-nine years ago.' —Vol. i. p. 221.

His loyalty is an absolute passion—he melts into a flood of tears, when he thinks of the tender relation that subsists between a sovereign and a subject: he approaches the mention of a king with most profound, and at the same time most ludicrous, solemnity. We know no ceremony, but that of the *Kotou*, which would satisfy his hearty enjoyment of prostration. He thus recalls himself from what he terms the *levity* (!) of a preceding paragraph, in order to prelude, in a becoming style, his account of the attempt to shoot the late king by the maniac Hadfield.

'The levity of the preceding paragraph was the natural result of a mind at ease, inclining to the various course of the narrative, and exhibiting from day to day the transactions, whether serious or comic, of the theatres of London. But I am now to speak of an event so horrible in its nature, so surprising in all its circumstances, so perfectly without a motive, and yet so transcendent in its mischief, that I need these few lines of preparation to assume the proper tone for a detail so unparalleled. On the 15th day of May 1800, the late amiable sovereign, George III., upon his entrance into the royal box at Drury-lane theatre, was fired at, by a frantic miscreant in the pit, with a pistol loaded with two slugs.' !!!—Vol. ii. p. 259.

After an account of the drawing-room on occasion of the King's recovery in 1789, which has, we apprehend, very little to do with the history of the stage, the enraptured Boaden thus breaks out in praise of the consort of George III.

'Upon the present occasion I cannot close the subject without expressing the full conviction of *my understanding and my heart*, that a *more glorious being* than the consort of George the Third never existed. I have lived to see a *miserable delusion* withdraw some part of the affec-

tion of the multitude for a time; but she was in truth the idol of the people, and they paid to her that sort of homage, as if in her person they were reverencing the form of VIRTUE itself.'—Vol. ii. p. 445.

He thus speaks of her dress—

'The Queen sat on this occasion in a chair of state, under a magnificent canopy, attended by her household. She was a perfect blaze of diamonds, disposed with every possible application to the circumstances that had occurred. The sentiment, which seemed to be impressed by the display, was unbounded exultation, that, under Providence, she had been enabled to discharge the high duties of her great and difficult position.'—Vol. i. p. 434.

In another place he says, that "God save the King," implies the salvation of all that an Englishman holds dear. The book itself is dedicated to the present King in the most fulsome style. He makes the very elements sympathize with the misfortunes of the royal family. It happened to rain (which in England is a very extraordinary event) on the day that the princess Elizabeth gave a breakfast in honour of the recovery of her sister the princess Amelia from an illness. The *capital* letters are his own; for, whenever a *royal* OBJECT is mentioned, the page is strewed with large letters.

'Upon a variety of occasions an attentive observer will recollect an external sympathy of nature with remarkable events—all antiquity is uniform as to such singular accompaniments. This day of festivity was remarked for a deluge of rain that came down incessantly. The lovely OBJECT of the entertainment was not destined long to survive.'—Vol. ii. p. 245.

We have now conveyed a pretty fair notion of this very pretending book; at least, we trust so, for we are heartily tired of the task. Lest, however, our censure upon his style, and the quality of his moral reflections at the commencement of this article should seem to require some justification, we will throw together here at the end a selection of Mr. Boaden's *beauties*. At page 107, we have a chapter on the PNEUMATOLOGY of SHAKESPEARE'S AGE. This is Mr. Boaden's amusing way of entituling a dissertation on Hamlet's Ghost.—

He invariably uses the vulgar and incorrect phrase, "*in course*." "The King's box had its back *in course* to the quire." [Vol. i. p. 160.] "This was, *in course*, upon a smaller scale." [Vol. i. p. 162.] "The wife in the *patent coffin* was *in course* the favourite." [Vol. ii. p. 195.]

He says of Mr. Harris that there was a *paternity* in his manner; he calls elegiac verse, *ploratory* verse. "The allusion to his illustrious namesake reminds me of *the highest ploratory*

verse in the language." [Vol. ii. p. 111.] He speaks of a farce being *perdurably* damned. On the death of his wife, the Earl of Derby, says Mr. Boaden, *announced his intention to Miss Farren* of elevating her speedily to a coronet." [Vol. ii. p. 194.] "When Miss Farren took her leave, there was," says the historian, "a strong curiosity among the ladies to see how she would look upon this occasion. But *it* was not a head that could suffer.—[Vol. ii. p. 194.] "The *Heir at Law* was the *next feature* to the decease of Macklin." [Vol. ii. p. 199.] He speaks, [vol. ii. p. 201,] of some "*unsuspected declamation,*" in Miss Decamp. [Vol. ii. p. 705.] Reynolds was a *seeming transfer* to Drury Lane Theatre on the 21st October. He says, [vol. ii. p. 208.] that certain excellencies in Miss Decamp "conspired to establish a *scale* of her merits from which it was hardly possible to *descend:* and that the public acquired a taste for her in pantomimic exhibition." Speaking of Mr. Kemble, he writes thus, in his character of the philosophic historian :—

'As I love on most occasions to *ascertain* causes fully adequate to the effects, so I mention among those contributing to the perfection of Mr. Kemble's *Stranger,* his actual freedom from the toils of management. It left him with a single object; and here we had the full benefit of his *abstraction,*'—Vol. ii. p. 216.

Vol. ii. p. 227. he speaks of Monk Lewis's "masterly *presentment* of Ambrosio." In the following exquisite passage, he compares Kemble to —— he shall speak for himself:

'Yet let me say, that all I had ever conceived of either the *dignity* or *sanctity* of the *monacal* order, was as nothing compared with the awful grace with which the whole figure of Kemble became invested. The nearest resemblance that picture affords is to be found in a FORM, that it would be *irreverence* to name upon such an occasion as the present; but the expression of the head, and the folds of the drapery, seemed to be studied in the transfiguration of Raphael. That noble gentleman, the late Duke of Leeds, came to me in the Green Room,' &c. &c.—Vol. ii. p. 229.

Speaking of Joanna Baillie's De Montfort, he says, [vol. ii. p. 255] "The assassin is secured *to die of remorse in all the hells of guilt.*" Of the French Revolutionists, he says, "Delation was arrived at a climax among the mimics."

Mr. Boaden thus philosophically accounts for actors of different generations resembling each other:

'Notwithstanding the endless diversity among individuals, partial affinity and the demands of *language,* produce a classification both of mankind and their representatives. In stage history, therefore, the succession of actors to each other's business is regulated by that parallel talent, which though never quite touching (that is, becoming *identical*)

is sufficiently near, because it takes the same course; and, a little over or a little under its predecessor, arrives at the same end.'—Vol. ii. p. 188.

We could go on to fill a whole review with similar instances of solemn absurdity; but we are already half-ashamed of having bestowed so much space on mere trash, and heartily disgusted with the labour of poking among such rubbish for the viler particles which compose the heap. Neither should we have imposed this trouble on ourselves, had we not known that much was expected from this work, and that the admirers of the drama had anticipated a high treat from the collections of so old an amateur of the stage, and so intimate a friend of Mr. Kemble. The book, too, has already been extravagantly praised; if, however, the public choose now to be deceived, they deserve to give eight-and-twenty shillings for Mr. Boaden's Life of Kemble.

ART. X. 1. *Remarks on the Yellow Fever of the South and East Coasts of Spain; comprehending Observations made on the spot, by actual Survey of the Localities and Rigorous Examination of Facts, at Original Sources of Information.* By Thomas O'Halloran. M. D. &c. &c. London. 1823.

2. *A Treatise on the Plague, designed to prove it Contagious, &c.* By Sir A. B Faulkner, M.D. 1 Vol. 8vo.

3. *The History of the Plague, as it has lately appeared in the Islands of Malta, Gozo, Corfu, Cephalonia, &c.* By T. D. Tully, Esq. Surgeon to the Forces, and Inspector of Quarantine, &c. in the Ionian Islands, 1 Vol. 8vo.

4. *Report from the Select Committee of the House of Commons, on Contagious Fever in London,* 1818.

5. *First Report from the Select Committee of the House of Commons, on the State of Disease and Condition of the Labouring Poor in Ireland,* 1819.

6. *Observations on Quarantine; being the Substance of a Lecture, delivered at the Liverpool Lyceum, in October,* 1824. By Charles Maclean, M. D.

7. *Report on Quarantine of the Select Committee of the House of Commons, on the Foreign Trade,* 1824.

IN considering the subject of contagion in our last number, we stated in detail the laws which regulate contagious and epidemic diseases; we pointed out the source of error which has led both medical and unprofessional men to confound maladies so opposite and so incompatible; we adduced the evidence, that Yellow Fever and Plague belong to the class, not

of Contagious but of Epidemic diseases; and we proved, that neither of these affections is capable of being communicated by one person to another. We were obliged to postpone the consideration of the evidence, on which the advocates for the contagious nature of these diseases ground their faith. As it is our wish to exhibit to the reader a complete view of this important subject, we proceed with the statement of that evidence, after which he will have the whole case before him, and will be competent to form an opinion of it for himself.

We hoped we should have been saved the trouble of going over the facts alleged to prove the contagious nature of the Yellow Fever. That disease has lately been so strictly investigated, and so great a proportion of those who have had an opportunity of observing it, have been satisfied that it is not contagious (and we refer for proof of this to Dr. O'Halloran's interesting work), that most professional men are now ashamed to avow themselves the advocates of a prejudice which is nearly obsolete. There are circumstances of recent occurrence, however, which appear to have revived the expiring faith of some devout believers in the common doctrine; and to these it may be proper to advert, especially as it will afford a specimen of the kind of evidence which satisfies the minds of these persons, and which they represent as irresistible.

In 1823, the yellow fever prevailed at Sierra Leone, in the Bann sloop of war, and at the Island of Ascension. In all these places the disease is supposed to have had a common origin, and Sir Gilbert Blane believes, and has endeavoured to prove, that it arose on board a merchant timber vessel called the Caroline, and was propagated thence by contagion. The facts are as follow. The Caroline arrived at Sierra Leone, from Europe, with a crew perfectly healthy; she landed her cargo at Tomboo Island: during this time, which was considerable, she lay in a low, swampy situation, surrounded with mangroves; in about a month after she had been on this station, her crew became sickly; but it was not until *three months* after her arrival on the coast, that any of her men became decidedly affected with yellow fever. Almost simultaneously with, yet somewhat previously to, her sending to the hospital on shore the first man affected with this disease, it had appeared in the colony. "*At this time*, says Dr. Barry, the physician of the hospital, the fever had begun its ravages on shore;" and consequently, as this gentleman observes, the disease could not possibly have been communicated to the colony by the Caroline. While the crew of the Caroline were in a sickly state, she was visited by the master of the Bann, by the master of

the Snapper, and by the carpenter and carpenter's mate, of the Owen Glendower frigate; these persons remained on board several hours; one of the officers, namely, the master of the Bann was afterwards taken ill of fever, and he continued ill two days; in the mean time, the crew of the Caroline had constant communication with the boats' crews of the different men of war, at the watering place, without communicating the disease to a single individual. She sailed for England on the 5th of May; she arrived there on the 29th of June; during her passage, all her invalids recovered, and not one of her passengers, of whom there were several, became affected with disease. From this narrative, it is plain, that this vessel could have had no influence in communicating yellow fever, either to the shore, or to the vessels near it.

The Bann sailed from Sierra Leone, on the 27th of March; four days afterwards three of her men became affected with fever; in three days more, four others were added to the list, and from this period the disease spread amongst the crew very rapidly, and proved extremely fatal. She reached the island of Ascension on the 25th of April; her sick, forty-five in number, were immediately landed: tents were pitched at the distance of five hundred yards from the garrison, and all intercourse was interdicted. At this period the garrison was in good health; two days after the sick had been landed, one case of fever occurred in the garrison; twenty days afterwards, another person belonging to the garrison was taken ill, and subsequently the disease attacked twenty-eight persons. While the Bann was at Ascension, the Driver sloop of war arrived from Sierra Leone with her crew in perfect health; two clerks were sent from her on board the Bann; they were both taken ill; two other officers visited the Bann, neither of whom became affected. The Bann sailed from Ascension on the 2nd of June; she arrived at Bahia on the coast of Brazil on the 10th of the same month; among other vessels she found there the Tartar frigate; a boat from the frigate came alongside her *during a heavy rain;* the boat's crew sheltered themselves on board; in a few days afterwards some of this crew were attacked with fever.

Such are the facts, and so clearly do they prove, in the opinion of Sir Gilbert Blane, that yellow fever is a contagious disease, that he conceives he has settled the controversy by the statement of them; and a writer in the Medico-Chirurgical Review for January last says—"We think that few men, not completely blinded by prejudice, or wedded to some favourite doctrine will reject, or doubt the evidence which has been

brought forward respecting the contagious character which this fever evinced in the Bann, both at Ascension and Bahia. *If this evidence be questioned, it is in vain to look for further testimony in human affairs.*"

Now, in reference to the fever of Sierra Leone, it is sufficient to observe, that it was the usual fever of the climate, and the usual Epidemic season. In reference to the fever on board the Bann, it is obvious, that the crew were exposed to the same epidemic constitution of the air as the people on shore; and the surgeon of the vessel states, that they were, moreover, subjected to severe labour in re-fitting the Bann, and the San Raphael, a Spanish schooner, which the Bann had captured, and to great exposure to the heat of the sun, while they at the same time indulged in "irregularities." The continuance of the disease after the vessel left Sierra Leone is attributed by the same gentleman "to vicissitudes of the weather," which he states were great, and observes in his Report, that "*the men were generally taken ill in the night, when exposed to chills on their watch.*" It appears, also, that relapses were so frequent (events which we have shown to be of most rare occurrence in a contagious disease) that out of the number seized by the malady, twenty-two had *two* attacks, two had *three* attacks, and one had *four* attacks. With reference to the alleged communication of the disease from the Bann to the Island of Ascension, it appears certain from the facts adduced by Dr. Burnett, that this island is subject to the visitation of fever "exactly similar" to that which prevailed on board the Bann; it is probable, that its epidemic season is precisely that at which the events of which we are treating took place; it will be observed, that the first case of fever in the garrison occurred two days after the landing of the sick, which is too short a period for the operation of contagion: while the next case did not happen until twenty days after, which is too long a period for the contagion to have remained quiescent, if, as is affirmed, notwithstanding "nominal restrictions," the communication between the garrison and the sick was, in point of fact, immediate and direct. The disease, it appears, prevailed at the springs, that is, at the lower posts on the island, which is precisely the situation in which epidemics always prevail; while at the higher post, namely, that at the Green Mountain, 2,500 feet above the level of the sea, *there was not a single individual attacked, although the communication between the persons at this post, and those at the others, was kept open for eighteen days, and one of the soldiers stationed at it had actually been on board the Bann, and remained there some time.* With reference to the

alleged communication of the disease from the Bann to the Tartar frigate, at Bahia, we suppose no one will expect us to reply to an argument, in favour of the doctrine of contagion, founded upon the circumstance, that part of a boat's crew, who had taken shelter in a vessel during a heavy rain became some days afterwards affected with fever; and with reference to all these events, we fear the reader will scarcely forgive us for detaining him with things so frivolous, although in a Medical Journal, published not three months ago, it is affirmed, that they establish the contagious nature of yellow fever in so clear a manner, that if this opinion be "henceforward questioned, it is in vain to look for further testimony in human affairs."

The facts alleged to prove, that the Plague is contagious, may be arranged under those of ancient (not ancient, indeed, in the common acceptation of the term) and of modern date. The earliest fact of this kind on record is that stated by Fracastorius in 1547, who affirms, that "out of one leather coat, there died five-and-twenty Germans, who put it on one after another." This "fact" is said to have happened thirty years before, during a plague at Vienna; the narrator does not pretend to have witnessed it; he gives no testimony, on the authority of others; the scene is laid in Italy; the victims are Germans. Alexander Benedictus [Lib. de Peste, cap. 3.] informs us, that there was a feather bed which was thrown aside into a remote corner of the house, because it was "suspected to hold the plague in it, and that it raised the plague, by being shook up, seven years after, of which 5,900 people died in twelve weeks in Wratislaw." And in another place, we are told by the same author, that "the pestilent contagion was shut up in a rag for *fourteen years!*" Forestus affirms, that a young man was seized with the plague, only "by thrusting his hand into an old trunk wherein there was a cobweb, which in that instant made a plague sore." The plague of London in 1665 is attributed to a Frenchman, who is said to have died of the disease in Drury-lane, and to have had in his possession some Turkish silk, which had been imported the preceding year from Holland, and in which the contagion resided, although there is no proof even of the existence of this Frenchman, much less that he died of the plague with silk in his possession, and that this silk came not from Lyons, but from Constantinople. During the epidemic in 1698, says Noah Webster, "a flock of quails flew over the chimney of a house, in which several diseased persons were, and five of them fell dead upon the spot!" Such are the facts on which the elder contagionists relied: the three first are the principal circumstances adduced

by Sennertus, to prove that the plague is a contagious disease, and they appear to have been the main, if not the only foundations, on which Sanitary laws were first established.*

Most of the facts adduced by the later contagionists are of a similar character. Dr. Wittman informs us that the brother of the French general Julien, who died of the plague in Egypt, had "received the infection by taking a pinch of snuff from a box, out of which a person who had the plague on him at the time had also taken snuff." It has been affirmed that a man dropped down dead of the plague by standing on a Turkey carpet, and that a lady by only smelling at a Turkey handkerchief died of the plague on the spot. Yet Dr. Russell declares that amongst the many thousands whom he saw ill of plague he never met with an instance where the person was sensible of the stroke of contagion at the time; and Assalini observes—"It has often been said that, in breaking open a letter, or on opening a bale of cotton, containing the germ of the plague, men have been struck down and killed by the pestilential vapours. I have never been able to meet with a single eye-witness of this fact, notwithstanding the inquiries which I have made in the Lazarettos of Marseilles, of Toulon, of Genoa, Spezia, Livournia, Malta, and in the Levant; all agree in repeating that they have heard of such an occurrence, but that they have never seen it happen." Nevertheless, Dr. Augustus Bozzi Granville relates to the Committee of the House of Commons that in Corfu in 1815 a priest who went into the church and touched the cloth of the great altar so as to shake it, in order to purify it, was seized with the plague; that he instantly fell down on the steps of the altar, and that in three hours, even before he could be carried to the Lazzaretto, he expired, with buboes under the arms and livid spots over the body. Dr. William Pym, "Confidential Adviser of the Privy Council on matters of Quarantine," states to the same Committee, that although he is not acquainted with the plague by personal observation, yet that he *knows* one instance of its communication at sea by direct contact: namely, on board his Majesty's ship the Theseus, which, according to his account, having captured some French gun-boats that were ordered alongside, the person who went "on board to issue provisions, &c. received the infection of the plague." Dr. Robert Tainsh, however, was subsequently examined, who states that he was surgeon of the Theseus; that five persons affected with plague were, indeed, taken on board this vessel, but that

* See Sir Richard Manningham's Discourse concerning the Plague, &c. 1758, p. 25.

the disease was not communicated to any individual in the ship; not to a single man, although there was both direct and indirect communication between the ship's crew and the sick.

Abundance of stories of the like kind respecting equally the yellow fever and the plague are related by many medical men, and with a strange credulity are believed by others; but to enumerate no more of such absurd fictions, let us attend to the alleged facts which are deemed by grave authority as irrefragable and decisive.

Sir Arthur Brooke Faulkner, M. D., who was at Malta during the prevalence of the plague in that island, in the year 1813, considers himself, and appears to be esteemed by others, as the great modern authority on this subject. This gentleman was examined by the Contagion Committee of the House of Commons, and his evidence is given at considerable length in their Report: since that period he has "deemed it necessary" to publish a book, expressly, as he tells the College of Physicians, in the dedication of his work to that learned body, "in consideration of the weight attached to his evidence:" and certainly the college have given some indications that they rely upon him as their main prop. He informs us that he has had peculiar and excellent advantages for ascertaining the nature of the plague: that he has availed himself of his opportunities with the utmost diligence, and that whenever he has related any circumstance which did not fall under his own personal observation, he has employed the greatest caution in investigating the truth. The result of his labour he details in the following order:—"I propose to comprise the arguments and facts collected during my services in Malta, in support of the contagious property of the plague, under the following divisions: 1. The extension of the disease to Valetta from the infected vessel, San Nicolo. 2. Its extension to the individuals who were infected by communicating with the first case in Valetta, and to the Augustin Convent. 3. And its extension to certain of the Casals, and to the island of Gozo." The propositions, then, are, that the plague extended by direct communication from the San Nicolo to the city of Valetta; that the person first affected in Valetta communicated the disease to other individuals; and that thus extending through the city, it was communicated to the Casals or villages in its neighbourhood. The whole argument depends, it is obvious, upon the clearness with which it is made out, that the first infected person in Valetta had communicated with the infected vessel: the evidence to establish this fact must, to use our author's own term, be "direct," because upon that fact every other rests; it is the first link upon which

every other that composes the chain hangs. What then must be the astonishment of every one, to read in immediate succession to the propositions just quoted, the following words: —" The evidence will in each of these instances of communication be made out by *direct* proofs, *excepting in the first*, which, for want of facts derived from satisfactory authority to establish fully an actual communication between the San Nicolo and the city, &c," In the outset, then, he admits that he is destitute precisely of that very evidence which, according to his own showing, is essential to his argument. " The evidence of communication will be made out by direct proofs excepting in the first instance :" but the first instance is precisely that in which it is essential to make out the fact of communication by the most clear and irresistible evidence: yet he admits, in so many terms, that there is " a want of facts derived from satisfactory authority to establish fully an actual communication between the San Nicolo and the city." His argument is, that the plague is contagious, because the disease was conveyed by direct communication from the San Nicolo to the city of Valetta: that the San Nicolo was the *fons et origo malorum*, and that there was direct communication between this vessel and the city; yet he himself states that there is no direct evidence of this communication: that there is a want of facts to establish any communication whatever. By this single admission he has himself proved that his whole argument is baseless and his entire evidence nugatory. But he maintains that although there is no direct evidence to establish the alleged fact of communication between the San Nicolo and the city of Valetta, yet that the indirect evidence is sufficient to substantiate it. Were this really the case, it would follow, that the evidence he has adduced is wholly inferential: that with all his opportunities and all his experience he has been unable to find a single positive proof of the proposition he maintains, and that the utmost he has achieved is the collection of certain rumours, and the narration of certain stories which, IF true, afford a presumption of that which no man of sense ought, or can believe, without the most direct and irresistible evidence. This " indirect" evidence, however, which is to supersede the necessity of all positive proof, is—what may the reader suppose? A letter addressed by himself to the commander of the forces a few days after the arrival of the San Nicolo at Malta. This letter consists of an expression of the violent panic into which he was thrown by the arrival of this vessel in the harbour, and of a suggestion that it should be removed to a greater distance from the city. The letter was written on the 10th of April; on the 16th, that is, six days after it was presented to his Excel-

lency, the first case of plague is rumoured to have occurred in the town of Valetta, and this Sir Arthur Brooke Faulkner considers as an absolute and perfect demonstration that the plague is a contagious disease. The argument is—A vessel arrives in the harbour of Valetta; throws the doctor into a panic; he writes to the governor on the 10th of April: on the 16th a person is taken ill of the plague in Valetta; therefore this person was affected with plague, in consequence of direct communication with this vessel; whence it follows that the plague is a contagious disease. On stating this argument to the Committee of the House of Commons, and on being requested to trace the connection between the vessel and the family first affected, he says—"I hold it as hardly requiring proof that the disease should have found its way from an infected ship in the harbour, when I consider the *apparent* connection between the cause and effect arising out of the arrival of the vessel; and the almost immediate verification of my prediction to the governor, I consider these circumstances as conclusive." Here the very thing to be proved, is stated to require no proof, and accordingly is taken for granted. "I think it an event not improbable," he continues, "that some of the family might have got goods from this vessel." And in another place, when asked if he had no better proof to advance, he says—"I think when the whole evidence I have given is well weighed and considered, the proof is made out as far as presumptive evidence can well render it." Then, were all his evidence valid, and all his induction just, the utmost he would have effected, even according to his own statement, would be the establishment of "an apparent connection:" the rendering an event "not improbable;" the making out a "presumptive" proof; and on this it is that we are asked to rest our faith in the tremendous doctrine of pestilential contagion!

Such is Sir A. B. Faulkner's language before the Committee of the House of Commons. Mark the difference when he sits down in his study to compose his book in order "to guard against the least appearance of inconsistency or mis-statement: to do justice to the information he can afford, and to convey his opinions in all the force of which they are susceptible." Then so complete, so "intuitively obvious" does the evidence of the contagious nature of the plague, afforded by his letter to the governor, appear in his estimation, that he doubts whether any attempt to render it more so, would not "as in the case of axiomatical truth rather tend to tarnish its clearness:" that no one can hesitate a moment to conclude that it establishes the fact "that the presence of the San Nicolo, and the plague which

manifested itself in Valetta do stand to each other in the relation of cause and effect." "This, I confess," he continues, "appears to me, as a learned authority observes, one of those consecutions which are so intimately and evidently connected to, or founded in, the premises, that the conclusion is attained, *quasi per saltum*, and without any thing of ratiocinative process, even as the eye sees its object immediately and without any previous discourse."—"To allege in the face of the above letter," he adds, "that the breaking out of the plague in Malta on the arrival of the San Nicolo, was a fortuitous coincidence, would be not less rational than to maintain that an explosion taking place at the time of applying fire to gunpowder was a mere contingency; that the *only* difference in the two cases is, that, in respect to the fire, the effect is more constant and immediate than with reference to the plague ship;" but he considers this "want of constancy in the succession of causes and effects" as trifling, and of no consequence in this argument.

But further—Sir A. B. Faulkner states that the manner in which the plague was introduced into Valetta from the San Nicolo, was by a piece of linen, part of her cargo, which was purchased by one Salvatore Borg, a shoemaker, whose family was the first infected. When strictly questioned as to this fact by the Committee of the House of Commons, he acknowledges that he does not know any thing which could have conveyed the disease from this vessel to this family, excepting this linen; yet immediately afterwards he admits that he cannot speak with confidence as to the linen being found in Borg's house, much less is he sure that, if it were there, it came from the vessel. "I beg to be understood in giving this evidence that I was not present myself, and therefore I cannot speak with confidence as to the linen being found in Borg's house. I did not see the linen myself. It was confidently rumoured to have been brought from the infected vessel. I am not aware of any thing which could have conveyed the disease from the ship to the city except the linen. I rest my whole evidence upon what I before specifically stated, namely, the circumstance of my prediction," &c. &c.

Having accounted in this very satisfactory manner for the introduction of the plague into Valetta, in the first instance, he proceeds to show that the disease must be contagious, because from this first point, it proceeded in the direct line of contact. From Salvatore Borg's family, he affirms, it proceeded in a direct line to that of Maria Agius; but the only reason assigned for this is that the two families of Borg and Agius were intimate, and he distinctly admits that he only had the case from report

"I *heard* that Maria Agius and others she immediately communicated with, were attacked by the disease." The malady having thus extended "in the direct line of contact" to these two families, it was communicated by them, according to his account, to other individuals in Valetta; and from these to others, until the whole city became affected; and from the city it was extended, still in the direct line of contact to the casals or villages in its neighbourhood. These circumstances he adduces as facts: they must be facts, and substantiated in the clearest manner, to render his argument of the least value; yet he produces no evidence whatever of their truth; on the contrary, he admits in so many terms that he has no evidence to produce. "I could not trace," he says, "the progress of contagion from Agius to any other family. I dropped the inquiry there: it appeared to me impossible to carry the investigation in a *direct line* farther." How then does he know that it proceeded in a direct line from these families to others, and from the city to the casals? In what manner he ascertained the former he does not inform us, but that it proceeded in a direct line from Valetta to the neighbouring casals, he endeavours to substantiate by the testimony of one of the captains of the Lazaretto. "I am in possession of documents furnished to me by one of the captains of the Lazaretto, showing that the contagion made its way in a direct line from Valetta into the affected casals and villages." This account, together with his acknowledgment that even the cases of Borg and Agius which he had so positively stated to be cases of plague, were not known to himself to be so, but were only rumoured to be plague, appears to have excited the scepticism of the Committee, for they immediately put to him the following question:—"Then not one of these cases in which you state, &c. &c. *was from your own personal observation?*" Answer. "*Not one.*" And yet there were cases which did come under his own personal observation, and they afford an excellent contrast to those which did not. A few of the soldiers became affected with the plague: *the disease did not spread, however, amongst the troops, although the soldiers lived, as all soldiers do, in the most gregarious manner.* This was one fact. Moreover, he states that he was in attendance on the military hospital, which was the pest hospital; that he was personally and constantly close to the sick; that he is not certain whether he himself caught the disease; that he is, however, quite sure, that the other medical attendants did not; that the orderlies, also, who were employed under him in the care of the sick, and who were necessarily in contact with those who had the plague, escaped to a man. Thus, in the only two instances in which he had an

opportunity personally of observing the disease, it is certain that it did not spread in a direct line, or in any other manner. Not to a single medical attendant—not to a single man out of all the orderlies, the nurses of the sick, who were in the closest possible contact with them, was the malady communicated. Every case of communication recorded by him was derived from rumour: the Committee of the House of Commons remark this: they represent to him that not one of the alleged cases of communication was from his personal knowledge, while of the numerous cases which fell under his own observation, the disease did not in a single instance communicate to persons, and he admits the truth of the observation.

Such is the evidence adduced by Sir Arthur Brooke Faulkner of the contagious nature of the plague as it manifested itself at Malta. To what does it amount? A vessel reported to have the plague on board arrives in the harbour of Valetta; Sir A. B. Faulkner is dreadfully frightened on seeing "its yellow flag with the black ball in its centre:" forthwith he writes to the commander of the forces: six days afterwards the first case of plague is reputed to have occurred, but there is no proof that this was really a case of plague: the medical man who saw it, and who is stated to be a physician of high respectability, declares that it was not plague, but typhus fever; whatever were its nature, however, there is not the shadow of evidence to prove that it arose from communication with this vessel; no connection whatever can be traced between them; several individuals of the same family became successively affected with fever of a similar character: at length a person, in another family, is taken ill, it is rumoured, with the plague; this case is connected with the first only by the circumstance that the two families were intimate; there is the same doubt whether it was really a case of plague: further than these two families, the extension of the disease by contact to other families in Valetta is not pretended to have been ascertained; it is said, but it is a mere report, an entire assumption, that from Valetta it was communicated by direct contact with the nearest villages; not the slightest evidence is advanced to prove that this was the case; the soldiers who were taken ill with the malady did not communicate it to their companions; the medical officers who attended the sick did not become affected; the orderlies, who were the nurses of the sick, escaped in every instance. And yet this is the proof, this is the "series of decisive facts and concatenated evidence," by which Sir A. B. Faulkner states that he has "no doubt of being able to substantiate that the plague is produced by a specific contagion, and communicable only by contact or close

approximation with infected persons or materials," and of which there is too much reason to believe that the College of Physicians, in their official report, declare that it "fully ascertained the contagious nature of the plague!"

As Sir A. B. Faulkner may be considered the representative of the college of physicians, so Mr. Tully is understood to be the defender of the faith of the Army Medical Board. He also has written a book on the Plague at Malta, which is valuable not for the additional facts which he has supplied, but for the reasoning which he has advanced. We have had a specimen of the facts which satisfy the contagionists; it is right to attend to the reasoning with which they "exhort, rebuke, and confirm." After stating with as much confidence as though it were an undoubted and indisputable truth, that the original source of the plague was Egypt; and informing us, amongst many other things respecting its early history and progress, that it was first introduced into Europe at the period of the Crusades, in consequence of the intercourse which took place at that time, between the European nations and the inhabitants of the East, Mr. Tully says—

'The contagion of the plague is THUS *proved* by the general history of its progress, and medical *science* has been for centuries past accustomed to speak of it, and to treat it as a contagious disease. Fanciful theorists have sometimes hazarded a contrary doctrine; but *experience* has always proved its fallacy. Thus, of the plague of Marseilles in 1720, the physicians of Paris believed that it was not contagious; the fatal consequences are too well known: 60,000 persons fell victims to the disease in the short space of seven months. The faculty of Sicily declared the distemper which ravaged the city of Messina in 1743 not to be of a contagious nature, and in the short space of three months 43,000 individuals were sacrificed. The *theoretical* doctrine of non-contagion is *in these instances refuted* by the plain *demonstration* of *facts*.'

Thus, because the physicians of Paris believed the plague of Marseilles not to be contagious, *therefore* 60,000 persons died in seven months; because the faculty of Sicily declared the distemper which ravaged Messina not to be contagious, therefore 43,000 persons died in three months; and because these events happened, the doctrine of non-contagion is proved to be "theoretical, and is refuted by the plain demonstration of facts." Whatever may be thought of the logic of this argument, it undoubtedly shows that Mr. Tully is as well acquainted as Sir A. B. Faulkner with the meaning, and as severe in the application of the terms "proof, science, experience, demonstration," &c.

Of the argument of Dr. Maclean and others, that if "the

plague depended entirely upon contact with persons and things, its ravages would never cease, in those countries where no precautionary measures are taken to prevent communication between the affected and the healthy, Mr. Tully complains, that it is urged too triumphantly; yet he admits, that to a certain extent the inference is correct, "inasmuch as we rarely hear of the total cessation of plague in Turkey: there are only temporary intervals of calm, in which the disease slumbers for a time, breaking out perhaps with increased violence in the succeeding year." But if there be rarely a total cessation of the plague in Turkey, there is sometimes a total cessation of it; and if there be ever, no matter for how short, or how distant a period, a total cessation of it, the argument of Dr. Maclean, notwithstanding Mr. Tully's objection to the term, is triumphant! Mr. Tully's metaphor is not happy. A specific virus cannot enjoy "a temporary interval of calm;" an animal poison cannot "slumber;" so long as it exists and continues in contact with an animal body, it must work its work of destruction without sleeping night or day. We may not allow Mr. Tully to get out of a bad argument by the most graceful figure; much less can we permit him to escape from a bad argument, by a worse metaphor. But our author, animated by this imagery, waxes bold to such a pass, that he at length absolutely declares, that this very argument of the non-contagionists, "is equally calculated to establish the doctrine of contagion, as to prove the contrary:"—how? "inasmuch as the plague may be said to be constantly prevalent in Turkey, from the circumstance of its continually recurring after its occasional disappearance." The argument is—the plague sometimes, though rarely, ceases in Turkey; the plague constantly recurs after its disappearance; therefore the plague constantly prevails. Mr. Tully, however, admits that this syllogism does not satisfactorily explain why contagion has not entirely depopulated the countries in which no precautions are taken. He assigns, as a farther reason, that upon some individuals diseases, undoubtedly contagious, have no effect at all, and that there are persons who are unsusceptible to the virus of small-pox itself. In order to render this reason good, it must be shown, that every person in Turkey who, on coming in contact with the plague, remains unaffected, possesses a peculiarity of constitution similar to that which renders some individuals incapable of receiving the contagion of the small-pox. It is calculated, that the exemption from the contagion of the small-pox is as one in twenty; it is probable, that the proportion of those who escape the contagion of the plague in

Turkey, even when the epidemic is very prevalent, is six-sevenths of the whole population; were these six-sevenths therefore to possess a constitution similar to that which is now possessed by one in twenty, that constitution would no longer remain peculiar; it would be the prevailing constitution, it would form the rule, not the exception; the plague, how contagious soever, would become sporadic and never epidemic; the multitude of mankind must always be free.

Mr. Tully proceeds—

'What has been already said will be considered, by all those whose minds have not been strongly pre-occupied by the contrary opinion, as a complete refutation of the principal and favourite argument of the advocates of the non-contagion of the plague. But, lest our reasonings on this subject should be deemed inconclusive, we shall proceed to *prove*, that this objection which has been brought against the doctrine of contagion, is equally applicable when opposed to the system of non-contagion. Let us, then, for the sake of argument, suppose, that the plague is propagated by a diseased state of the atmosphere. This is a cause equally general in its operation with contagion: it might even be said to be more universal in its influence; but thousands of human beings have breathed the same air with those victims of pestilential distemper, who were hourly dying around them, and have yet remained unaffected; therefore, the plague is not disseminated by any atmospheric cause.'

Admitted: grant that the plague is not disseminated by any atmospheric cause; does it therefore follow, that it is propagated by contagion? The hypothesis, that the plague is produced by a morbid constitution of the atmosphere is adopted, because it appears best to connect and explain phenomena; if it be shown that this hypothesis is ill-founded, it must be abandoned; but what follows? that the doctrine of contagion is established? Certainly, according to Mr. Tully's argument. "I shall prove, says he, that this objection is equally applicable when opposed to the doctrine of non-contagion;" and his proof consists of an attempt to show, that the plague is not dependant upon the atmosphere, in which attempt, for reasons that we cannot now stop to assign, he has entirely failed; but, in which, had his success been complete, he would have left his cause just where he found it. Mr. Tully should have foreseen this fatal blow to his "proud argument." This gentleman may be a very excellent surgeon, but he certainly does not succeed as a logician.

Thus have we selected for the edification of the reader, the strongest facts, and the best arguments we could find in favour of the contagious nature of the plague; we had noted, for his

information, several others of a similar character, but, besides that our space will not admit of further detail, we fear it would neither interest, nor instruct, and we are quite sure that we deserve, if we do not receive, the gratitude of every sober believer in contagion, for not scrutinizing the evidence and the reasoning, for example, of Dr. Augustus Bozzi Granville, for we do not remember ever to have seen any thing so contemptible, advanced with so much effrontery—witness his story of the priest of Corfu, to which we have already adverted, and his ignorant attempt to reconcile the occurrence with the laws of physiology. Dr. William Pym, and Dr. Frank may also be thankful for our silence. We make our appeal on this question to the judgment of the reader; we seriously and earnestly ask him if he can give credence to such tales, or place confidence in such reasonings, as have been adduced, and above all, whether he can believe, that they are sufficient to set aside the evidence detailed in our last number, to prove that contagious and epidemic diseases are opposite and incompatible—evidence derived from the nature of those diseases, and from the laws which they are found invariably to observe.

We must, in conclusion, advert a moment to the common epidemic of our own country, namely, Typhus Fever. Typhus fever is plague modified by the climate, &c. of Great Britain: plague is typhus fever modified by the climate &c. of the Levant. The two diseases are identical, and present as strict an identity of symptoms as the same disease existing in such different climates can do. The physicians of the London Fever Hospital, and all other physicians who are extensively acquainted with the typhus fever of the metropolis, know that the plague constantly exists in London; that is, they know that cases constantly occur in this city with symptoms *exactly similar* to those of plague: namely, with bubo, with swelling, and suppuration of the glands of the axilla, and with carbuncle superadded to all the other symptoms of malignant fever. There cannot be a doubt that typhus fever is a true epidemic; it obeys every law of an epidemic; it is without a single character of a contagious disease. Into the evidence of this we have not at present space to go, nor is it essential to the argument; it will be sufficient to state briefly a few facts which decisively prove that it is not contagious.

1. The seat of typhus fever is strictly local. Around the places in which it prevails, a line can be drawn with as much precision, as that which divides one geographical district from another. In London, for example, from the first inquiry into this subject, up to the present hour, it has been found to pre-

vail with invariable regularity, in its eastern and north-eastern parts: namely, Shadwell, Whitechapel, Bethnal-green, the neighbourhood of Shoreditch, the parish of St. Luke's; Old-street and Golden-lane; Cow-cross and Saffron-hill; Holborn and Gray's-inn-lane; the neighbourhood of Clare-market and Drury-lane, St. Giles's; the parish of St. George's, Kent-street and the Borough. From these places it is scarcely ever absent; beyond them it very rarely extends, though it does occasionally occur in other situations. Were it really contagious this confinement of it to particular spots would be utterly impossible; it would certainly spread in the "direct line of contact" to the nearest persons, houses, streets, parishes, and districts; it would be impossible by any human means to prevent its extension. The causes which really perpetuate it in these places are ascertained; they are the narrowness of the streets and lanes in these districts; the closeness, the want of ventilation and the filth of the houses, and the great number of persons who are invariably crowded into these wretched habitations.

2. Typhus fever is dependant on the state of the weather. There is a state of weather in which after it has prevailed for some time there is scarcely a case of fever to be found; there is a state of weather in which fever immediately arises and extends with great rapidity; for example, whenever the atmosphere is loaded with moisture and the temperature is at the same time mild. Immediately that this is the case the wards of the London Fever Hospital become crowded; this is an event as certain and uniform as the succession of the seasons; the prevalence of the epidemic during the last Autumn and Winter affords an illustration of this fact; in consequence of the continued rains, and unusual mildness of the season, this institution has been so crowded with patients, that several times admission has been refused to applicants for want of room; a circumstance of very rare occurrence; and much oftener, it has been necessary to postpone admission for many days.

3. Typhus fever is sure to be generated, to prevail extensively and to prove highly mortal wherever there is a scarcity of provisions, or wherever the food is of a bad quality. Dr. Bateman in his examination by the Committee of the House of Commons states, that the extensive prevalence of the epidemics which originally led to the establishment of the London Fever Hospital, was preceded by two years of great scarcity. The account which Dr. Cheyne lays before the Committee, of the state of Ireland, preceding and during the epidemic which ravaged that unhappy country in the years 1816, 1817, 1818, and part of 1819, is truly horrible.

'Two unproductive seasons in succession,' he observes, 'had reduced the labouring class to the greatest poverty. Little or no employment could be had for labourers. The clothes of the poor were nearly worn out, and many of them slept in their body clothes for want of blankets; from the wetness of the weather, turf for fuel could not be saved; potatoes were wet, scarce, and dear; wheat was every where malty, so that when the fever began, the poor were in many places living on weeds. In the neighbourhood of Kilkenny, they were feeding on hips, on nettle-tops and other weeds. Near Strathbally, many families had fed on the tops of the wild turnip (brassica napus); and at Castledermot this weed called brasha bwee, and a little malty flower, formed the chief article of nourishment. There were in Castledermot, I was told, at least 200 willing labourers without employment out of 500, the wages of the labourer being only 4*d.* a day with food, potatoes being 3½*d.* a stone, and it being computed that a labourer at his three meals will consume a stone daily.'

Under such circumstances the usual fever of the county, of course, became epidemic; and proved dreadfully mortal. There is no parallel to the folly of attributing to contagion the extension of fever in a community thus reduced to a state of famine.

4. Typhus fever never spreads in the neighbourhood of institutions established solely for the reception of cases of fever. When the House of Recovery, now the London Fever Hospital, was first opened in Gray's-inn-lane, Sir Walter Farquhar and nine other eminent physicians of the metropolis, with a view of quieting the fears of the public, signed a declaration that "there was no reasonable ground of apprehension on the part of the neighbouring inhabitants;" nevertheless the neighbours made two applications to the Sessions for the removal of the establishment as a nuisance, and so great was the terror of the people that they would not approach the building, but walked on the opposite side of the street; yet long experience of such institutions in London, Chester, Manchester, Waterford, &c., has proved that all such apprehensions are perfectly idle; and the Committee of the House of Commons in their report state, "that not only no hazard of spreading infection has been incurred by these establishments, but that, in point of fact, the number of contagious diseases has been greatly diminished not only in the town, but in the very district and neighbourhood where houses of recovery have been instituted."

5. In the wards of large hospitals typhus fever is never communicated by persons labouring under this disease to patients affected with other maladies. In almost every hospital in London it is the practice to mix indiscriminately the fever patients with those labouring under other diseases; yet fever never

spreads in these wards. Dr. Edward Roberts, of St. Bartholomew's, in his examination by the Committee of the House of Commons states, that "in that hospital they have no fever wards; that fever patients are intermixed with others; that he never knew an instance of the communication of the disease from one patient to another; that the medical officers have all been of opinion that to separate the fever patients from the rest would not be so good a practice as that which now prevails, *because they have not perceived that the fever has been communicated; that he has been physician to the hospital twenty-four years, and has never seen the complaint communicated from bed-side to bed-side.*" When asked if it be his opinion that fever is not generally communicated, he replies, "I think not. We sometimes have patients brought in upon deal boards, and in some instances they come in and die in a very short time, in a state of the highest putridity; we should expect if a patient of that description were put into a ward for forty-eight hours, that ward would be affected; but I never have been able to trace fever from such a cause, I never saw such a thing happen. If, therefore, there be free ventilation, I should think typhus fever not communicated." Dr. Thomas Young, of St. George's Hospital states, that fever patients are mixed with others, and that no inconvenience has been found to arise from that practice. Dr. Nevinson, also physician to St. George's Hospital states, that he never knew an instance of the communication of fever for nearly twenty years, during which he has acted as physician to that charity, nor during nearly six years that he was in attendance as a pupil there before, though he has certainly seen some of the worst states of typhus in that hospital. Sir J. L. Tuthill, physician to the Westminster Hospital states, that in that institution there is no fever ward; that fever patients are mixed with others; that no inconvenience to his knowledge has arisen from this practice, and that no fever has ever been generated. Dr. H. H. Southey, of the Middlesex Hospital, states, that they have no fever ward; that fever patients are mixed with the others; that no inconvenience has arisen from this practice; that no fever has ever been generated in the hospital since he has been connected with it, nor before as he has been informed." Were persons labouring under small-pox mixed indiscriminately in a ward with other patients, or were only a single case of small-pox placed in each ward, the disease would certainly spread, and so would typhus fever were it really contagious.

6. The medical officers of fever institutions are in general not attacked by the disease. "During four years attendance in the hospitals of Edinburgh and London, and afterwards during

thirty-one years in private practice in Chester, and fourteen years and a half in the Chester Infirmary, and three years at Bath, I have been," says Dr. Haygarth, "in the habit of breathing air strongly impregnated with the infectious miasms of fever. In many, very many instances, I have visited patients ill of infectious fevers, in small close and dirty rooms; yet never but once about thirty years ago had a fever. The physicians of the Manchester Infirmary, for many years, and particularly during the late widely-spreading epidemics in that large and populous town, have, with great fortitude and humanity, constantly visited the home patients; that is, they have in innumerable instances breathed the most pestilential air in the most concentrated state with perfect impunity." Dr. John Mitchell in his evidence before the Committee of the House of Commons observes—

'I lived about three years in the Royal Infirmary of Edinburgh. It was my regular duty to visit the sick three times a day; in the forenoon before the physician's visit, at mid-day in company with the physician, and in the evening alone. This evening visit generally occupied a considerable time: since at the bedsides of the patients admitted through the day, I had to make memoranda in writing of every fact and circumstance connected with the case, for the purpose of being recorded in the journals of the house. Frequently the evening duty was exceedingly severe, it was particularly so during the time the Russian sick were received into the Infirmary, when it was not unusual to receive on the same day, ten or a dozen fresh cases; most of these were bad fevers and the subjects of them so exhausted, some even *in articulo mortis,* and withal so filthy and dirty, that I could not refrain from lending my assistance to strip off their clothes and get them comfortably laid in bed. Notwithstanding all this exposure in my own person to every way by which it is conjectured febrile contagion is received, by breath, contiguity, and contact; notwithstanding, that I was called for successive nights out of bed to the fever-ward, where I have remained administering in cases of necessity, wine and cordials, and occasionally obliged to draw off the water of the patient by means of the catheter, an operation necessarily exposing me to the effluvia arising whilst the bed clothes were turned down, yet I never caught fever.'

He then states other facts, such as that he never saw fever patients communicate fever to other patients in the same ward, that he never saw fever communicated to the nurses and other attendants on the sick, and adds,

'In short I will state, that I never saw one instance of contagious fever in the Royal Infirmary of Edinburgh; and if it be allowable, I may add the testimony of Dr. Rutherford, the able physician under whom I acted, to the same effect. He had been physician to the house, for many years; and a man more accurate in observation or more gifted with ability in his profession, and enlightened by general science, is

not, as the many who know his modesty will acknowledge, to be met with.'

Dr. Roget, who had been physician to the Fever Institution at Manchester from 1804 to 1808, states to the Committee of the House of Commons that no officer of the establishment has at any time been affected with fever generated within its walls. Dr. Holme, physician to the same hospital from its first establishment to the present period, confirms this statement in its full extent. Dr. G. G. Currey, physician of St. Thomas's Hospital states that fever has never been communicated to any of the medical attendants of that institution. The same and other physicians bear uniform and decided testimony to the fact that even the nurses in these institutions are not more subject to fever than other individuals of the community; on the contrary, that they are in general remarkably exempt; that, sometimes, however, for example, during the prevalence of an epidemic, when the wards become unusually crowded, and they are exposed to unusual fatigues they are now and then attacked; but that it is a circumstance of extremely rare occurrence.

Now each of these facts taken separately, is a proof that typhus fever is not a contagious disease; the evidence arising from the whole taken together is irresistible. And yet *there is no doubt that typhus fever is capable, under certain circumstances, of generating fever.* It is a fact established by frequent observation, that if the apartment of a person labouring under typhus fever be small, close and dirty; if it be unventilated, and if the effluvia from the body be allowed to accumulate in it, the air will become so contaminated as to produce fever in those who breathe it, or who remain in it for any length of time. For example.—Some time ago there was a poor family consisting of four persons who were attacked with malignant fever; they all lay in the same bed in an exceedingly close and dirty apartment; they were visited daily by a physician who always took the precaution when he entered the room to throw open the window, to station himself between the window and the bed while he examined the sick and to remain with them but a short time; he had repeated his visits daily during a week with impunity when he was accompanied by another physician; the latter took no precaution, but examined the skin of the patients minutely and closely, standing on that side of the bed towards which the air from the window impelled the effluvia and so near as to receive both the effluvia and the breath in the most concentrated state; he is said to have felt a sudden disagreeable sensation at the moment of exposure

and he immediately became affected with fever which proved fatal. In the hospital of Hockenhearn after the battle of Dettingen there were at one time 1,500 men all affected with malignant or jail fever, accompanied with what was termed dysentery. Of course the hospital was excessively crowded, and the air of it speedily became contaminated in the highest degree; under these circumstances almost all the apothecaries, nurses and other attendants on the sick were attacked with fever. At the same time some persons affected with the same disease were placed in the large church of Maestricht where there was abundance of room; *here no disease whatever took place among any of the attendants on the sick.* These two cases afford an excellent illustration, the one on a small, the other on a large scale, of the fact on which we wish to fix the attention of the reader. The physician who relates the first case adduces it as a decisive proof of the contagious nature of typhus fever, and it is certainly one of the most precise and complete facts in favour, apparently, of that doctrine which we remember ever to have met with. Sir John Pringle, who gives a full detail of the circumstances which occurred after the battle of Dettingen, was not only a believer in, but a champion of the doctrine of contagion, and considers the events to which we have adverted as establishing his opinion. And such, in truth, are all the cases on record alleged to prove the contagious nature of typhus fever; we venture to affirm that it is not possible to adduce a single example of the communication of typhus fever from person to person which is not of this description. The fact is, as we have already stated, that fever produced by this contamination of the air, has hitherto been universally confounded with fever produced by a specific contagion; but all that we have written on this subject, has indeed been a vain labour, if it be not at once obvious, that fever arising from this cause is as distinct from fever produced by a specific contagion, as common fever is distinct from small-pox; *no fever produced by contamination of the air can be communicated to others in a pure air;* there never was an instance of such communication; that alone is sufficient to distinguish every fever of this kind from a contagious disease, which is communicable, and equally communicable in every possible state of the atmosphere; and yet cases of this kind are constantly adduced, nay cases of this kind *alone can be adduced* to show that typhus, or that any epidemic fever, is contagious. Nothing tends so much to render and to keep ideas clear as the designation by appropriate names of things that differ; it is therefore highly desirable that this class of cases should be discriminated by a distinct term; for this reason we would de-

nominate them CONTAMINATIVE. Thus in the enumeration of the causes capable of producing fever, so far as that disease is connected with the subject of contagion, we would say that fever may be produced 1st, by a specific contagion, 2ndly, by an epidemic constitution of the air, 3rdly, by a contamination of the air. According to this nomenclature there will be contagious fever, epidemic fever, contaminative fever. A contagious fever depends upon a specific animal poison, and can produce nothing but a disease in every respect similar to itself. An epidemic disease depends upon a morbid state of the air, or upon some other cause not ascertained; it cannot, however often it be affirmed, become contagious in its progress, because every disease that is contagious must depend upon a specific poison; but it may become contaminative; that is, in its progress it may so contaminate the air of the apartment in which the patient is confined as to produce fever in those who breathe it. It must, however, never be forgotten that in the same manner, and for the same reason, common continued fever, typhus fever, the confinement of the healthy as well as the morbid exhalations of the body, in fact, not only every disease but every circumstance which is capable of producing a certain deterioration of the air, may be the cause of fever: and of this no one will hereafter doubt who will take the trouble to read the few words which were said on this subject in our last number, [pp. 149, 151]. If it be said that in thus admitting that plague, yellow fever, typhus fever, common continued fever, or any other disease, may generate a something (whatever it be termed) capable when diffused in the air, and brought into contact with a healthy body, of producing fever, the whole controversy between the contagionists and the non-contagionists is reduced to a mere dispute about words, and that no contagionist believes more than is implied in that concession, we answer —We are of opinion that no contagionist does really believe more than is implied in that concession, but so little are the contagionists themselves aware of it, that they blame their brethren exceedingly for not having a larger faith; and with respect to the controversy being a mere dispute about words we reply in the language of Condillac "that we think only through the medium of words; that the art of reasoning is nothing more than a language well arranged; that however certain the facts of any science may be, we can only communicate false or imperfect ideas of them to others, while we want words by which they may be properly expressed, and that the sciences in general have improved not only because philosophers have applied themselves with more attention than formerly to

observe nature, but because they have communicated to their language that precision and accuracy which they have employed in their observations. By correcting their language they have reasoned better."

When the distinction which is here pointed out between a contagious and a contaminative disease shall become generally understood and adopted, which we think will be at no distant period, every difficulty connected with the subject of contagion will disappear. The fear of contagion—that fear, the physical and the moral operation of which is productive of such incalculable mischief, will be at an end. All the precautions which can be taken against the propagation of disease by causes really capable of producing disease, will continue to be adopted. The necessity of cleansing the filthy habitations of the poor, and of removing this class of persons from their confined and wretched dwellings the moment they become affected with fever; the utility of separate hospitals, for the reception and treatment of that fatal disease; the importance of securing the most free and complete ventilation wherever fever prevails, and the danger of a long-continued exposure to air contaminated by effluvia arising from the bodies and the discharges of the sick, in small and close apartments, will remain, and will appear just the same. But while the general security, not only cannot be diminished, but must be increased by the extension of sober and just views on this important subject, the gain on the part of humanity will be greater than can be estimated. We do not speak without weighing the import of the words we use, when we affirm that, in the whole range of physical and moral agencies, there is not one capable of producing in human beings, feelings and actions of such gross selfishness, and therefore capable of rendering human beings so utterly base, as the belief of the common doctrine of contagion. The history of every epidemic furnishes but too abundant evidence of this truth. "I have seen the fears and credulity of many so wrought on," says Dr. Mitchell, speaking even of the ordinary epidemics of our own country, "that the house where a fever patient lay sick, was deserted and shunned by the very relatives." "These opinions respecting its contagious nature," says Dr. Barker, "speaking of the late epidemics which ravaged Ireland, seem to have taken complete hold on the minds, even of the poorer classes, *as appears by the practice so generally followed by them of excluding from their families those who had sickened with fever.*" "There is good reason to believe," he continues, "that one-fourth of the inhabitants of the town of Limerick were attacked with fever; at one time the hospital

was so crowded, that in many of the rooms there were four ranges of beds strewed on each floor, some containing six, many four, and few, very few, appropriated to one patient: so that in a small room of twenty-four square feet the number was not unusually forty. Such was the conviction of the contagious nature of the disease, that the ties of family affection were in some instances dissolved, and the nearest relatives when seized with the disease were forced out of the cabins into huts, generally placed by the road side to prevent infection, and to obtain charitable relief." Dr. Cheyne gives a particular account of these receptacles, which "family affection" provided for the sick. "When any individual of a family was affected with fever," he says, "the rest were so much impressed with the danger of contagion, that they had him removed to a barn, or out-house (where they had prepared a bed and broken a hole in the wall, to admit of their handing in medicine and drink) and locked the door which was not unlocked till some time after the disease was over. When a stranger, or a labourer who had no cabin of his own, took the disease, it was quite customary to prepare a shed for him by the road-side; this was done by inclining some spars or sticks against a wall or the bank of a ditch, and covering them with straw. Under these sheds which the rain penetrated, the patients lay on a little straw. All ranks and classes of the people believed in the contagion of the epidemic. In several instances cottages were burnt, in order to destroy a latent contagion, which resisted all the ordinary means of disinfection: and so convinced were the poor of the disease being infectious, that their conduct in many places towards itinerants, and, in particular, itinerant beggars, from being kind and hospitable, had become stern and repulsive; they drove all beggars from their doors, charging them with being the authors of their greatest misfortunes, by spreading disease through the country." The causes which produced mendicants in frightful numbers, are thus explained by Dr. Barker. "The better classes were disabled from giving employment to the poor: the poor unable to pay their rents, quitted their tenures, or were ejected from them, and assembled in wandering hordes." And yet these are the unhappy beings against whom there was such a cruel combination, that "constables were stationed on the highways to drive them away, and prevent them from entering the towns; finger-posts were put up in several places, warning them off; several Catholic clergymen from the altar denounced the practice of harbouring them, and in Roscommon, the magistrate, attended by a physician and the priests, went through the town and admo-

nished the people not to harbour them." During the prevalence of epidemic fever in America, we are informed, that the instances of "the abandonment of the sick, even by parents and children, are often most horrible." Among these, we are told of the case of a person who, having sent his wife and children from a town in which fever was prevailing, to a relation's in the country, while he himself remained in town until attacked by the disease, was desirous when he found himself ill, of joining his family; and was taken to them in a cart. But "the cart was not suffered to enter the yard, or approach the house. The poor man got out of it, and was called to, not to approach, and at last a gun was brought, and he was threatened with being shot if he did not go away. He crept into an out-house, where he expired without any one going near him." "Amongst Europeans," says Olivier in his travels in Egypt, "the tenderest ties, the closest affections constantly yield to the alarm which this fell malady inspires. The desire of self-preservation breaks in a moment through the bonds of consanguinity, and stifles the most virtuous sentiments." That is the text: Howard the philanthropist gives the commentary. "I was informed," he says, "that lately in a hamlet belonging to the Ragusian state, all the inhabitants died of the plague, with the exception of two or three, *who were shot by order of the magistrates to the surrounding guard.* The 30th of January, 1784, it was perceived, that a man, called Simon Chiapiglia, from the burg of Luzaz, belonging to Spoleto, after five days of fever had a tumor in the arm-pit, of so much the more suspicious a nature, that he had been employed as a door-keeper in a lazaretto from which he had been discharged on the 21st of the same month, after having been made to perform quarantine. He was well watched; but on the following day, as in a fit of delirium he endeavoured to escape, he was *killed with a musket shot* by the centinel." Sir A. B. Faulkner states, that during the prevalence of the plague at Malta in 1813, it was ordained, that if any person should *conceal his illness,* he should be punished with death, and that, accordingly, "a Maltese of the name of Antonio Borg, who was detected concealing his illness, whilst labouring under pestilential symptoms, *was publicly made an example of and shot.*" Mr. Tully informs us, that during the same epidemic, the inhabitants of Casal Curmi were "declared to be out of the king's peace;" that "a military commission was established in that casal, for the purpose of carrying martial law into execution;" that, at length, the inhabitants were entirely "shut up within their own precincts, by the erection of double walls, and by the establish-

ment without these walls, of cordon over cordon:" and that "so effectually was this work performed, that retreat was rendered impossible." The consequence was, that the mortality was truly horrible. Well may Mr. Tully say of Malta, during this frightful period, that self-preservation was the only acknowledged law; that all alike dreaded their fellow creatures; that,

> "Dependants, friends, relations, Love himself,
> Savaged by woe, forgot the tender tie,
> The sweet engagements of the feeling heart."

Well may he deprecate the accusation of giving an exaggerated account, and if, as he further states, "scenes have been painted to him by eye-witnesses, of a yet far deeper shade," and if he have himself repeatedly witnessed similar occurrences, in still more distressing forms, we can well conceive, that "the impressions which they left upon his mind can only cease with existence."

Of the system of sanitary laws, which it was our intention to have examined in detail, it is necessary, after the full consideration which we have given to the subject of contagion, to say only a few words. If we are right in our argument, the whole system of sanitary laws falls of course: it is equally without a basis, and without an object. Sanitary laws consist of those expedients which are adopted, during the prevalence of an epidemic, to separate the diseased, or those suspected to be diseased, from the healthy; all these expedients resolve themselves into confinement of the sick, either in a house, a lazaretto, a ship, a town, or a district: and the means adopted to secure this confinement are, to close up the houses, to draw lines of circumvallation around the town, or district, and to station beyond these lines cordons of troops. This system must be considered first, in relation to its operation in the place in which an epidemic prevails: and secondly, in relation to its efficacy, as a means of preventing the extension of the disease to other places.

1. Since it has not been found possible by any expedients which human ingenuity has hitherto devised, to prevent the healthy from coming into contact, either directly or indirectly, with the sick, the first and most obvious effect of this system, in the place in which an epidemic prevails is, to preserve so many nuclei of infection whence the disease may be perpetually diffused. 2. Its second effect is, to increase the mortality of the disease to a prodigious extent. It must necessarily be attended with this consequence, because its operation is, to confine the

sick to the pestilential air, which is the chief cause of their malady. Dreadful proof of this is afforded by every epidemic in which the system has been adopted. Thus, on the 3rd of September, a barrier was established between Barcelona and Barcelonetta, so as to place the latter town in a state of isolation. On that day there were in Barcelonetta nine sick persons; by the 10th the number had increased to one hundred and sixty-two; that is, in seven days from the isolation of the town, the daily mortality had increased eighteen-fold. In Casal Curmi, "a populous village," which was surrounded in the manner that has been stated, by lines of circumvallation and cordons of troops, almost all the inhabitants were exterminated. Of between eighty and ninety persons that were sent to the Lazaretto, at Malta, in 1813, *only two survived.* There is not a single fact on record to prove that these measures have the slightest effect in preventing the extension of the disease, or in shortening its duration. Sir A. B. Faulkner attributes the declension of the plague at Malta to the vigorous police regulations which were at length adopted; but according to his own account, although "the inhabitants of Valetta were shut up in their houses, and other strict measures of quarantine adopted," yet there was no material diminution of the disease until August, that is, precisely the month in which the epidemics of the island regularly decline. We have seen how completely the village of Casal Curmi was isolated. What was the result? The last case of plague occurred in Valetta on the 19th of October; the whole island was declared to be free from disease on the 7th of January, *with the exception of Casal Curmi;* there the plague continued its ravages till the 7th of March. This single fact is decisive. 4. This system tends in the highest degree to excite and perpetuate terror, which is universally allowed to be one of the most powerful concurrent causes of sickness and mortality. "The main import," says Dr. Mead, speaking of the plague of London, "of the orders issued out at these times was, as soon as it was found that any house was infected, to keep it shut up, with a *large red cross, and "Lord have mercy upon us"* on the door; and watchmen attending day and night to prevent any one going in or out except physicians, surgeons, apothecaries, searchers, &c. allowed by authority; and this to continue at least a month after all the family were *dead* or *recovered.* It is not easy to conceive a more dismal scene of misery than this. Families seized with a distemper, which the most of any requires help and comfort, locked up from all their acquaintance; left, it may be, to the treatment of an inhuman nurse (for such are often found at these times about the sick),

and strangers to every thing but the melancholy sight of the progress death makes; with small hopes of life, and those mixed with anxiety, and doubt whether it be not better to die, than to survive the loss of their best friends and nearest relations." 5. The knowledge, that they are to meet with such treatment induces the sick to conceal their illness until it is no longer possible to afford them any relief. 6. Medical men themselves, under the influence of this base fear, abandon their duty. During the prevalence of the plague in London, almost all the physicians fled from the city. At Oxford, during the prevalence of the malady, which arose at what was called the Black Assize in that town, almost all the physicians fled. When the yellow fever raged in Philadelphia, in 1793, many of the physicians abandoned the city, and in the Levant it is seldom that pestiferous patients have medical aid. 7. An insuperable obstacle is thus opposed to any increase in the knowledge, or any improvement in the treatment, of this fatal disease. And 8thly, not the least of the evils consequent upon the terror produced by this system, and by that belief in contagion on which it is founded, is the interruption occasioned to the supply of provisions in times of pestilence. People in the country will not risk their lives by bringing provisions to an infected city. The effects of this were dreadfully experienced, both in the plague of London, in 1665, and in that of Marseilles in 1720. Of the former it was truly said, that those who escaped the pestilence died of famine; thousands perished in the fields from want. Such are the invariable and inevitable consequences of a belief in contagion, and an adoption of sanitary laws, in the place where an epidemic prevails.

That part of the sanitary system which relates to the expedients adopted to prevent the extension of epidemic diseases to uninfected countries is called Quarantine, which consists in subjecting persons to a seclusion, and merchandize to a purification of forty days. The reason why forty days have been fixed on as the period necessary and sufficient to exterminate contagion in all its known and unknown states, no one has ever pretended to assign. Let us look at the system in relation to merchandize. The argument against quarantine as applicable to merchandize is short; it is perfectly unanswerable; it is wonderful that any doubt should remain upon any mind for a single moment, which has been made acquainted with the fact upon which it is founded. It has been proved that it is the universal custom in Turkey for the relations of those who die of the plague to wear the clothes of the deceased; that garments saturated with sweat, pus, and ichorous matter from the bodies of those

who have perished by the malady, are invariably either worn by the relatives, or sold at the public market; and that there is no instance on record of the communication of the disease by this means. Then, what can be the use of establishing quarantine laws to prevent the communication of plague by means of merchandize from Turkey? The only way in which it is possible for merchandize to become impregnated with the contagious matter of the plague, even allowing that matter to exist in the greatest abundance, is, by its being exposed to the pestiferous atmosphere, or by its being handled by plague patients. But little or no importance is attached by the believers in contagion to the influence of the atmosphere in contaminating merchandize; the only way, therefore, in which goods can be contagioned is by being handled, or by coming in contact by some means or other with those affected with plague. But plague patients cannot labour in the fields to gather in the raw material; they cannot labour at the various processes by which the raw material is manufactured; they cannot labour in the warehouses, at the wharfs, or on board, in order to pack and to stow these goods; it is not, then, particularly easy to see how merchandize can become impregnated with contagious matter; but allowing that it may be so, surely no one will contend that it can possibly receive a thousandth part of the quantity of that matter with which the clothes worn by plague patients are imbued. If then in the very country in which the plague rages, at the very time that it is committing its ravages, the clothes of such persons are constantly worn by the unaffected, and invariably worn with impunity: if such be the fact, we again ask, whether in the whole history of human affairs there be an instance of such stupendous folly as that of supporting, at a great expense, an establishment, and subjecting commerce to innumerable inconveniences, for the sole purpose of preventing the introduction of the plague by merchandize!

Moreover, it is a fact allowed on all hands, that goods are actually and constantly conveyed from places where the plague prevails to certain other places without ever transporting the disease. The plague frequently prevails, for example, in Aleppo. Caravans proceed regularly with goods in bales from Aleppo eastward through the continent of Asia, and have never been known to convey the plague to a single place: since this commerce has existed, there is no instance on record of the communication of the disease by these caravans or their merchandize to a single individual in the whole continent of Asia. It is useless to add other reasons or other facts. He who is not convinced by the single reason and the single fact here stated, would not be convinced by a thousand.

A great impression has already been produced upon the government of this country. They have gone so far as to release all vessels coming from the Levant with clean bills of health from the necessity of performing quarantine; that is, they have repealed 46 out of 47 parts of the quarantine system: having done this, they must repeal the remaining part; they must in consistency do so; for Dr. Maclean has demonstrated in the clearest manner in his Lecture at Liverpool (a careful perusal of which we would earnestly recommend to every one who is interested in this subject), that bills of health can afford no criterion whatever of the state of merchandize with respect to its freedom from a contamination by pestilential contagion, even were that phantom a real existence. Bills of health are documents from Consuls to ships sailing from places subject to their consular jurisdiction, certifying the state of the health of these places in reference to pestilential diseases at the time of the departure of the vessels. A foul bill declares the presence, and a clean bill the absence of pestilence, in the sea-port from which a vessel departs at the period of her sailing. Now suppose two ships to load with clean cargoes in a period of health; one sails a day before the other; in the mean time a single case of plague occurs in the port; this obliges the detained ship, although she may have had no communication whatever with the shore, to sail with a foul bill. On their arrival in England one ship is immediately released; the other is obliged to perform quarantine. Again, two ships load with foul cargoes during pestilence: one sails thirty days after the plague has ceased; she must carry a foul bill; the other waits ten days more, when she is entitled to a clean bill. The ship with a foul bill will be obliged to undergo quarantine, that with a clean bill will discharge her cargo at once; but it is obvious that the danger in each case is equal; and were the danger real, the ship with a clean bill must of necessity convey contagion to the market in which her goods are sold. Once more, a ship loads with a foul cargo during pestilence; she waits forty days after its termination and sails with a clean bill. Another ship loads with a clean cargo during these forty days; she is detained a few hours, and a case of plague is reputed to have happened in the port; she has no communication with the shore, yet she is obliged to sail with a foul bill. In this case, also, a contagioned cargo is covered with a clean bill; and a clean cargo is accompanied with a foul bill. It is certain, therefore, that were contagion capable of being conveyed by goods, the cargoes of ships with foul bills would often be without the slightest danger; while the cargoes of ships with clean bills would frequently be extremely perilous.

From these facts it is clear that the system of quarantine can not be supported by bills of health, the last prop on which it stands.

We cannot now stop to state that no expurgator of goods in England has ever been attacked with plague; that in point of fact no person coming from the Levant, or from any other country, has ever been known to arrive in England with the plague upon him; neither can we detail, as we intended, the expense of the quarantine system, nor the operation of the sanitary code, of which it is a part, on commerce in general; nor the mischievous influence and power which it gives to despotic government. We have already dwelt upon the subject, we fear, too long for the patience of the reader. The facts we have adduced, and the reasons we have urged, will produce their proper effect only upon that mind which reflects upon and weighs them; but in proportion as they are considered, we are satisfied, that the conviction of the soundness of the deduction to which they lead will strengthen. And surely, whether we regard the extent of the benefit to be conferred, or the amount of evil to be avoided, there is no subject which better deserves the serious consideration of the physician, the merchant, the statesman, and the philanthropist.

CRITICAL NOTICES.

1.—*Queen Hynde.*—A Poem, in Six Books. By James Hogg. 8vo. London. 1825.

THIS POEM, as it is called in the title-page, seems to have been inspired by insolence and whisky-punch: and is not so much a genuine effusion of raving dulness, like most of the former works of the author, as an experiment intended to ascertain how far the English public will allow itself to be insulted, and as an attempt to introduce into our language certain graces of diction and peculiarities of pronunciation, which have hitherto been confined to the polite gentlemen, who digest their lucubrations in the obscure pot-houses of the modern Athens.

We do not pretend to give our readers a detailed account of the story of this POEM; for it is at once far too wild and dull to be read; but from what we have been able to discover, it consists of the unintelligible adventures of sundry persons, who aspire to the hand of Queen Hynde, who reigned over Scotland, it seems, somewhere about 1,300 years ago. Her father, on his death-bed, delivers a sensible speech to his assembled courtiers, touching monarchy, and other points of government, of which our readers may take the following specimen:

'Trust me, 'tis truth to you I tell—
I have been tried, and know it well!—
A queen by men of wisdom rules,
A king by mistresses and fools.
'Now note my will—My daughter Hynde
Must wed the knight that suits her mind;
Her choice no interest let revoke,
Be it as free as bird on *oak*,
Or the grey eagle of the rock.'

Many gentlemen claim the Queen's hand, and our readers will be not a little surprised to find among them no less a personage than *Professor Wilson*, equally qualified to fill the chair of Moral Philosophy at noon, and of Ambrose's ale-house at night. Our readers will scarcely believe us, when we state, that this person figures by his name, very little disguised, in a poem professing to be the record of things that took place 1,300 years ago; we refer them for conviction to the book, pp. 319 to 328.* The passage is far too long and dull for entire quotation; but it details a running-match, which actually took place between Professor Wilson and a teacher of languages at Edinburgh, called Feldborg, who is named at full length. Here is part of this memorable adventure, in which Mr. Hogg's verses do not run quite so well as he describes his heroes to have done:

'Strain, Feldborg, strain, or thou shalt lose;
His elbow kythes, and eke his *nose!*—

John Wilson, of Elleray in prose—but in verse *Eon* of *Elry*.

Where are they now? In moment gone!
And Feldborg gains the goal alone!—
Elry lies prostrate on the plain, &c.
He laughing rose, and wiped his *brow,*
" By Heaven, sir, I no more could do!"—
' Feldborg, thou hast effected feat,
That stamps thee consummately *great;*
For thou hast vanquish'd one whose name
Stands highest on the list of fame.
Although an enemy and a Dane,
I hold thy victory *immane;*
Laud to thy noble visage swart!
Illustrious man of tale and chart!
Professor of the running art!'

A great part of the POEM is made up of debates and councils in the parliaments of these ancient days: one of these dignified assemblies is thus described:

' Perplexity reign'd in every face,
As every rankling pang kept place
In various breasts; one there might see
Anger, regret, temerity,
Hope, fear, contempt, elation, shame,
And every passion tongue can name,
All crowded on a darksome scene,
With scarce a ray of light between.'

Here is a specimen of the dignified style of the speakers:

' The Lord of Syke sprung from his chair,
And, waving both his arms in air,
Thus said, in loud impassion'd twang,
" What boots this starch'd and stale harangue?
Has this old driveller of the Isle
Made canting monk of old Argyle?
If so, I boldly would suggest
To shun their counsel as a pest."'

But, in general, the debates are more animated: and modelled more closely on the peculiar vein of eloquence which distinguishes Blackwood's Magazine.

' " *Thou babbler's brood of bounce and bang!*
Thou lion's cub without the fang!
Think'st thou thy weetless warrior rage
Can be endured by sober age,
Well versed in deep affairs of state,
And by experience made sedate?
I tell thee, prince, in speech downright,
One foot thou goest not from my sight,
On such a raffle—made for fools,
The lowest of ambition's tools."'

'"I stand unarm'd, as knight should do,
Who comes before a king to bow,
Else I had given thee, for thy meed,
That which should have laid low thy head,
I tidings bring you to your cost;
Refuse them, and your army's lost;
While you shall stand as stocks or poles,
A horde of *brainless jobbernoles*
A byword ever to remain.—
Dismiss me at your peril and pain."'—

'"Ay, captain; doubtless one of those,
Who, thrusting his officious nose
Into the affairs of other men,
Presumes their notice to obtain.—
Speak out, intruder—say at once
Thy name, thy business, and from whence?
If thou'rt a cotquean, by my soul,
I'll split thy *pruriginious noul!*"'—

This is the language of Mr. Hogg's characters: now for a specimen of his skill in drawing them:

'King Eric came over, a conqueror proved;
A kingdom he wanted, a kingdom beloved:
The queen was *an item* he did not imply,
But the conqueror fell at the glance of her eye.
His proffer was made as a lure to the land,
For woman he loved not, nor woman's command:
The name of a hero was all his delight;
His sword was a meteor unmatch'd in the fight;
The north he had conquer'd and governed the whole,
From Dwina's dark flood to the waves of the pole;
And ne'er in his course had he vanquished been,
Till now, by a young Caledonian queen.'

But if Mr. Hogg has not hitherto been celebrated for powerful conception of character, he has been often praised for his powers of description; it would be unfair, therefore, not to give a sample of his talents in that way:

'Loud and more loud the tempest blew;
On high the fleeting lightnings flew;
The rain and sleet pour'd down so fierce,
As if the concave universe
Had been upset, or roll'd awry,
And oceans tumbled from the sky;
The heaven was swathed in sheets of gray,
And thunders gallow'd far away.'

'Down came the Skye-men like a torrent,
Foaming, and muttering terms abhorrent;

Furious they came, with whirl and crush,
As midnight tides through narrows rush;
Or, when the storm is at the sorest,
Like wild bulls rushing from the forest,
With grinding hoof, and clattering horn,
And hollow humming as in scorn,—
So rush'd this phalanx multiform,
Led by the headlong Donald Gorm.'

But even these passages must be allowed to be surpassed by the catastrophe of the POEM:

'Just while their horrid sacrifice
Still flamed with incense to the skies;
Just when their hearts were at the proudest,
And their orisons at the loudest,
The liquid sounding flame inclosed them,
And roll'd them in its furnace *bosom!*
That city fill'd with loathsome crime,
With all its piles of ancient time,
After the fiery column broke,
Scarce gave a crackle or a smoke,
More than a heap of chaff or tinder,
But melted to a trivial cynder!
All glitter'd with a glowing *gleen,*
Then passed as they had never been.
Walls, towers, and sinners, in one sweep,
Were solder'd to a formless heap.'

As some indulgent readers may still conceive, that Mr. Hogg, though weak in his attempts at the delineation of character, and absurd in his descriptions, must be well qualified for a writer of songs, seeing that he holdeth the eminent office of Laureate to Blackwood's Magazine; we must, on this account, quote a specimen of his songs, and in order to do him complete justice, our extract shall be from one which he represents as having been set to music:

'Dreadfully pouring,
Rending, and roaring,
Send them with vengeance loaden,
That all below
May tremble to know
There's none so mighty as Odin!
There's none so mighty as Odin!
There's none so mighty as Odin!
That all below
May tremble, and know
There's none so mighty as Odin! &c.'

So much for the characters, descriptions, and songs of this POEM; but it may still be thought by *very* benevolent readers, that though in all these particulars, Mr. Hogg's POEM may be utterly worthless, the author

must still possess the very ordinary faculty of rhyming tolerably. It would be impossible to quote the hundredth part of the barbarous rhymes we had marked—we must therefore content ourselves with gathering a few in haste: assuring our readers, however, that many hundreds as strange and uncouth as those we quote may be found scattered through the six books of which the POEM consists. Sir Pertinax Macsycophant is a great authority for the verb to *boo;* and he is uniformly copied by his poetical countryman:

> 'There stood Eric, smiling, bowing—
> What a form for youthful wooing!'—p. 260.
>
> 'To either side one half did bow,
> His head and breast were cleft in two;'—p. 214.
>
> 'Here, o'er the dust of chief, I bow,
> That conquer'd him who speaks to you.'—p. 314.
>
> 'To-day I have a task to do;
> To-morrow at thy feet I'll bow.'—p. 414.

Upon the same principle, we suppose the following rhymes are orthodox in the North:

> 'A sacred sovereign, you'll allow,
> Should better know these things than you.'—p. 285.
>
> 'But what is more; though Eric now,
> In anger, hath consign'd to you.'—p. 286.
>
> 'Brande of his fortune was so proud
> The very ground on which he stood.'—p. 299.
>
> 'The seven towers of Silma too,
> Alas! were all abandon'd now.'—p. 308.

No English mouth could transform the following into rhymes: perhaps they may sound better in their native Doric:

> 'Now it hath happen'd in way so odd,
> That man could not the event forbode:'—p. 419.
>
> 'Stretch but thy finger from the spheres
> Towards these bloody worshippers.'—p. 432.
>
> 'There, over Coulan's lowly urn,
> The mighty Eric deign'd to mourn;'—p. 313.
>
> 'Uttering such horrid sounds of wrath,
> As hell had bellow'd from beneath.'—p. 21
>
> 'I know this well—too well to feign,
> And have my way, as thou hast thine,'—p. 105.
>
> 'Conscious of innocence the while,
> The queen look'd on that hideous veil.'—p. 17
>
> 'One foamy wave, thundering and smoking,
> And mighty pines rending and rocking.'—p. 181.
>
> 'Then hands were stretch'd, (why should they not?)
> That loosed his gorget from his throat.'—p. 400.

'If not, to me it seems as nought,
I'll take her, and her land to boot.'—p. 94.

'When none were nigh the foe to check,
Or crown or city to protect.'—p. 136.

'Put one arm round the royal neck;
The other, with all due respect.'—p. 127.

'While many a noble lady's voice,
Lauded aloud the fond caprice.'—p. 351.

'Coulan perceived, with throbbing breast,
The chance had come for which he wished.'—p 295.

'Of war, religion, or of law,
Without consulting Columba.'—p. 31.

Besides all this, we meet perpetually with *have* and *grave, her* and *wear—cast* and *breast—floor* and *hour—down* and *on—truth* and *mouth —coast* and *lost—foam* and *tomb,* &c. The following rhymes we had hitherto imagined only bore that character in the Emerald Isle:—but Mr. Hogg having transferred them to his pages, we presume they are considered equally harmonious in Caledonian land, *flame* and *supreme —gate* and *defeat—scene* and *pain—appeal* and *fail—came* and *beam —heave* and *wave—severe* and *declare—grimace* and *peace—hail* and *peal*—and a thousand others. Mr. Hogg has the less excuse for these barbarous sounds, as he never scruples to make the mere repetition of the final syllable do duty as a rhyme—thus: *resolve, dissolve: lea, furiously: all, withal: hear, here: late, relate: rose, morose: age,* vassalage, &c. &c. But even such rhymes as these are more tolerable to our ears, than the new words he introduces to our acquaintance when he wants an harmonious close:

'And the north breeze, in boastful *sough*
Told them, in language plain enough,'—p. 161.

'The rudeness of the savage *herne,*
Kythed in his hideous face *altern.*—p. 163.

We really cannot conceive how Mr. Hogg can ever be at a loss for rhymes, when he ventures to employ such words as we have quoted—or as the following, which are abundantly strewn through the POEM; amate, flurred, dern, trowed, deray, flounced, sough, gree, immane, browsts, cluck, tarn, knurled, debel, a hight, crimosin, boom, collied, gleen, torfel, steven, gallowed, &c. &c. But we are wearied of our dull task, and must now escape from it. We cannot, however, refrain from quoting a few lines from a long passage, in which the POET forbids certain persons from reading him. This class he has himself taken care shall be a comprehensive one: and even without his caution there are several passages in his POEM (affectedly dedicated to the *Daughters of Caledonia*) which would effectually prevent its ever falling into the hands of the persons alluded to in the following magnificent lines:—

'He next debars all those who dare,
Whether with proud and pompous air,

With simpering frown, or nose elate,
To name the word INDELICATE!
For such may harp be never strung,
Nor warbling strain of Scotia sung;
But worst of guerdons be her meed,
The garret, poll, and apes to lead:
Such word or term should never be
In maiden's mind of modesty.'

It is very natural, that such a writer as Mr. Hogg should fear and hate reviewers, and their readers; they are therefore debarred from the delight of perusing his enchanting volume, in this elegant and lofty strain, the effect of which we shall not endeavour to destroy, by adding a word more:

'Next, he debars all those who *sew*
Their faith unto some stale review;
That ulcer of our mental store,
The very dregs of manly lore;
Bald, brangling, brutal, insincere;
The bookman's venal gazetteer;
Down with the trash, and every gull
That gloats upon their garbage dull!'

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2 —*The Improvisatrice:* and other Poems. By L. E. L. 12mo. p p. 227. Longman and Co. 1824.

We imagine very few of our readers know, that, within the last twelvemonths, there has appeared a volume of poetry, on which the following decision has been pronounced: "as far as our poetical taste and critical judgment enable us to form an opinion, we can adduce no instance ancient or modern, of similar talent and excellence." The ancients are out done, and the moderns are surpassed by an English poet of the year of our Lord 1824, and this is the first moment that the news has come to our ears! That poet, too, the same critic informs us, is "a young female."

Our readers, no doubt, are restless with curiosity to learn the name of the critic, and the name of the poet: when we mention the London Literary Gazette, as the work in which the criticism appeared, probably we have given to all, who are acquainted with this weekly journal, a sufficient criterion of the worth of the criticism.

We are afraid that having informed our readers that "the poetical taste and critical judgment" which pronounce the eulogium upon this poet, are those of the Literary Gazette, we shall have entirely quenched their curiosity to learn any thing about the writings of the young female; and most probably have excited a strong prejudice against them. Assuredly few have more reason to apply the Italian proverb to themselves, than she has:

Da chi mi fido, mi guarda Dio:
Da chi non mi fido, mi guarderò Io.

thus rendered in homely language by a writer of the 16th century:

From him I trust God help me at my neede:
Of him I trust not, myself will take heede.

As we may have done harm, therefore, to L. E. L. (for she is the poetess to the talent and excellence of whose Improvisatrice and other poems, the critic of the Literary Gazette can find no parallel ancient or modern), by quoting the eulogium of her panegyrist, we will endeavour to atone for it, by assuring our readers, that her poems are better than such a criticism from such a critic might lead them to expect.

If we are to trust the Literary Gazette and common gossip, authorities pretty much on a par on this subject, poets are as plenty as mushrooms, and start up, in the present day, as rapidly as they do after a shower. We cannot walk the streets of London without jostling a poet; and our provincial towns and country places equally abound in them. There appeared at Christmas last, at least half a dozen Literary Pocket Books, and each of those boasted of having at least a dozen poets on their establishment: what a contrast between the year 1825, when Britain alone could boast of nearly one hundred poets, and the 2500 years or thereabouts that elapsed between Homer and Milton, when the whole world could not boast of half that number.

Every body talks, and judges about poetry; most people write what they call poetry some time in their lives; and yet not two persons agree what poetry really is. We certainly are not going, at present, to define it, or inquire into its essential elements, but we may just remark, that the highest and rarest kind of poetry is that of thought: this, no language can deprive of its essential and intrinsic excellence, though language may set it off to advantage. A second and very inferior species of poetry consists in thoughts not poetical in themselves, but expressed in language, which, by the associations connected with it, excites the imagination or feelings, and carries them out of this world of reality, into a world of their own. Their abode there, however, is not nearly so undisturbed, pleasurable, or permanent, as when they are transported thither by the magic power of the poetry of thought and language united. Besides these, we know of no other kind of poetry: what in general passes for such, is nothing else but an assemblage of metaphors, similes, and poetical words, often destitute of any meaning, and never possessed of more than is barely sufficient to preserve it from falling into absolute nonsense.

All languages have metaphors and similes: the English language is also very rich in poetical terms; words, that, having always been set apart for poetry, have, as mere words, poetical associations, and no associations connected with common life, conversation, or literature. To a real poet, one who has poetical thoughts, such a language affords great facilities and advantages: it enables him to transmit, in their undiminished sublimity, beauty, or pathos, all that his imagination or his feelings create in his own breast. But, to a person who is not a poet in thought, the English language is an evil, not a blessing; its richness in poetical terms conceals from him his own poverty in poetical thought;

and because he has at command a string of poetical expressions he foolishly imagines himself a poet.

L. E. L. has, with multitudes of others at all times, and more especially in the present day, fallen into this mistake: and she has fallen into it the more readily and deeply, because nearly all her poetry relates to love, a topic, for every thing connected with which there are nearly as many forms of expression and words as there are in Arabic for a lion; and on which we would engage to manufacture a poet out of any young person, particularly a female, by supplying her with a dictionary of love phrases, similes, &c., with as little exertion of intellect, as is employed in manufacturing a stocking in the loom.

That our authoress is capable of better things, that, amidst very much that is mere verbiage, and pages filled with puny and sickly thoughts clothed in glittering language that draws the eye off from their real character and value, there are indications of poetical talent, the following quotation, from one of the minor poems, proves: premising that the heroine of it had deserted her widowed mother, gone off with a lover; had been, in her turn, deserted by him, and is returning to her parent:

'She reached her mother's cottage; by that gate
She thought how her once lover wont to wait
To tell her honied tales!—and then she thought
On all the utter ruin he had wrought!
The moon shone brightly, as it used to do
Ere youth, and hope, and love, had been untrue;
But it shone o'er the desolate! The flowers
Were dead; the faded jessamine, unbound,
Trailed, like a heavy weed upon the ground.
'She entered in the cottage. None were there!
The hearth was dark,—the walls looked cold and bare!
All—all spoke poverty and suffering!
All—all was changed; and but one only thing
Kept its old place! ROSALIE's mandolin
Hung on the wall, where it had ever been.
There was one other room—and ROSALIE
Sought for her mother there. A heavy flame
Gleamed from a dying lamp; a cold air came
Damp from the broken casement. There one lay,
Like marble seen but by the moonlight ray!
And ROSALIE drew near. One withered hand
Was stretched, as it would reach a wretched stand
Where some cold water stood! And by the bed
She knelt—and gazed—and saw her mother—dead!'

To conclude; our serious and well-meant advice to L. E. L. is, to free herself as much as possible from her poetical vocabulary, to nurse her poetical thoughts, to avoid the subject of love, a topic so full of words and so barren of thought, and, above all, not to be elated by the praise, or guided by the "poetical taste and critical judgment" of the Literary Gazette, if she wish that her reputation as a poet should rest on a solid and permanent foundation.

3.—*The Impracticability of a North-West Passage for Ships impartially considered.* By Scrutator. London. 1824.

THIS pamphlet is the production of a British Naval Officer, much esteemed for skill in his profession, and the handsome manner in which he supports opinions opposed to high authority. By high authority, we do not mean the importance and value attached to the knowledge or research of the individual whom Scrutator exposes. It is no secret, that the Reviewer in the Quarterly, who generally writes upon the subject of the Polar voyages, is famous (we had almost said infamous) for the scantiness of his information and the short-sightedness of his views—we allude to his official station. This gentleman has, however, already, in some measure, seen through his errors, and we hope has received a lesson which will teach him never again to rely solely on his own judgment, or to impeach the veracity of others on the authority of his private vagaries. In 1817 public attention and expectation were excited by an article on the North-west Passage in (as Scrutator says) "a popular critical journal." The writer, after asserting that the relation of Maldonado was destitute both of "veracity and authenticity," adds, "we are by no means inclined to suppose that such a voyage as it describes is impracticable. We firmly believe, on the contrary, that such a passage does exist, and may be of no difficult execution." And again, "If the continent of America shall be found to terminate, as is most likely, about the 70° of latitude, or even below it, we have little doubt of a free and practicable passage round it for seven or eight months *every* year." It is much to be regretted that he had not consulted some old 'coast of Greenland,' or 'Davis's Straits', captain, who would speedily have undeceived him; nay, even the 'Hudson's-Bay' men might have chilled his ardent expectations, and, at least, have taught him circumspection. He likewise declares, "the solution of this important problem is the business of three months out and home!!," without doubt to be performed in the flying Dutchman, for no other vessel could have accomplished it in the time, even supposing the passage perfectly free. The masses of ice are made to dissolve, by the harlequin flourish of the Reviewer's pen, and the worthy secretary speaks as confidently as if he were also what seamen term "a clerk of the weather." It is unnecessary for us to say one word as to what extent these flattering prospects have been realized. Seven years have elapsed and the existence of a North-west passage remains nearly as problematical as ever. That such a passage may exist is certainly possible, but we perfectly agree with Scrutator respecting the improbability of its being ever navigable for ships. The whole of the article in question, as well as others which subsequently appeared, are full of absurdities and contradiction. We have neither space nor inclination to notice the fiftieth part of them. Scrutator has exposed much of this, and though he offers his remarks with considerable diffidence (for which by-the-by we are half inclined to be angry with him), yet they carry solid conviction to the mind. The grounds on which the Quarterly Reviewer took his stand in favour of the existence and practicability of a North-west passage are the following:

1st. The existence of a perpetual current setting down from the

northward from the Polar Basin through Baffin's Sea and Davis's Straits into the Atlantic, with a velocity of four, and sometimes of five miles an hour.

2nd. The non-existence of Baffin's Bay as drawn in the charts.

3rd. A circumvolving current setting perpetually 'from the Pacific through Behring's Strait' *into* the Polar Basin, and *out of it* into the Atlantic; the *existence* of which, in his opinion, affords the best hope for the success of the expeditions engaged in exploring a passage into the Pacific,' by way of the Pole as well as along the north coast of America.

4th. A great Polar Sea *free from ice* near the Pole, if free from *land.*

With respect to the first, no such current has been found to exist, as is proved by the testimony of the voyagers sent on discovery, and for the best possible reason. Baffin's Bay, it has been ascertained, is really what it was represented to be. The third yet remains to be discovered, though we are decidedly of opinion that it only exists in the Reviewer's brain. The last rests solely on the supposition of the Pole being "free from land." But even were it free from land, there can be but little doubt that the regions immediately surrounding the Pole are never free from ice. The Edinburgh Philosophical Journal has charged Scrutator with declaring the North-west passage impossible, but we really cannot find any such statement advanced in his pamphlet. On the contrary, he has stated in his preface that he "does not pretend to give any opinion of his own" (though, we believe, few persons are better capable of producing sound argument connected with nautical ability); but says "the *facts* stated, and (of course) believed by the authors from whom we have quoted, and who have advocated the practicability as well as the existence of a North-west passage, appear to me to show its impracticability for ships, and to render its very existence more doubtful than ever." These inferences are drawn from data furnished chiefly, if not entirely, by those advocates themselves. But whether they be fair and legitimate inferences is another question, and most probably Scrutator would be thankful to the writer in the Edinburgh Philosophical Journal to point out specifically how and where they are not so. Again, the writer says, "Though the chances may be heavy against captain Parry's present success, there seems *no ground* for considering, with Scrutator, the undertaking as desperate." Whatever Scrutator's considerations may be, we cannot discover in any part that he has expressed *himself* as conceiving the undertaking desperate or impossible. But what does the writer acknowledge? "If captain Parry succeeds in getting past the barrier formed by the chain of islands running from Melville Peninsula to the west of Regent's Inlet, and enters the open sea about Point Turnagain, we have no doubt of his success." Now, from Point Turnagain the rest of the passage is to be made along the coast of America, and the writer has no doubt of success, if captain Parry enter the open sea about that point. This view is, doubtless, very flattering, but how is it to be reconciled with what occurs in a previous page? "We are, with pain, obliged to state that our anticipations as to

the result are not very sanguine." Again. "Our auguries are unfavourable, even with respect to a single ship *ever*, in a single instance, completing the voyage from one end to the other." At another page—"Captain Parry's present idea seems to be, that his *main hope* is by keeping close to the coast of America, and taking advantage of the occasional openings which occur, when the ice, loosened by Spring, is drifted into the open sea. If this view be correct, the *passage* can scarcely be considered as *at all possible*." What passage? why that *very* passage along the north coast of America from Point Turnagain, where captain Parry's *main hope* rests, and where the writer has "no doubt of his success." And why had he no doubt of his success? Because after explaining why he differs in opinion with captain Parry, and why it "seems inconceivable that such an immense coast as that extending to Behring's Strait can be traversed without endless delay, and without meeting, *more than once*, with *impassable* barriers," he continues further on—"But the case seems likely to be very different with a wide ocean having *no* bordering land whatever!! In considering, however, such an open expanse as the only favourable case, it remains still doubtful whether it exists; and yet more, what chance there is of ever reaching it." A wide ocean having no bordering land whatever, the writer considers as the only favourable case, and gravely says, it remains doubtful (only doubtful) whether it exists. We can no more entertain the idea of such *an existence*, than we could of the Quarterly Reviewer's Polar Basin, without that *rim* of bordering land with which he has lately surrounded it, and thereby barred all access for ships. Scrutator is also charged with disputing "the existence of the great circumvolving current through Behring's Strait and round the northern coast of America. The current through Behring's Strait, however, is attested by Kotzebue and Cook, and seems to arise almost necessarily from a conformation of coast similar to that which pushes the Gulf stream through the Bahama channel." Scrutator has certainly disputed, on grounds drawn from recent voyages, the existence of the Quarterly Reviewer's perpetual circumvolving current; but he has particularly acknowledged, on the authorities of Cook, Clarke, and Kotzebue, the current setting to the northward and eastward through Behring's Strait. We cannot agree with that writer as to the cause which he assigns; because in one case the obstruction is continuous, and in the other the lands are disjoined.

Our limits will not admit of our entering further into the subject at present. We shall, therefore, only add an earnest recommendation of Scrutator's pamphlet to all who are honest enough to think for themselves.

4.—*The Coronation of His Most Sacred Majesty King George the Fourth; solemnised in the Collegiate Church of St. Peter, Westminster, upon the 19th Day of July*, 1821. Published by His Majesty's Especial Command. By Sir George Nayler, Garter Principal King of Arms. London. 1824.

A FORTY-GUINEA book devoted to the record and illustration of a Coronation! If we had extended our ardent gaze throughout the whole universe of letters, or, which is the same thing, pored over every page of the four quarto tomes of the Bibliotheca Britannica, we should in vain have sought such a genuine specimen of pure, unsophisticated frivolity. We had thought the time was gone by for these splendid follies, and that the tendency of the age was decidedly to the *useful*, that the ornamental was tolerated so far as it contributes to rational pleasure; but that the purely frivolous was generally despised, and nearly exploded. We confess that this phenomenon had very nearly confounded all our notions upon this subject; but we recollected in good time (for the circumstance has been before but too frequently obtruded upon our notice in the course of our critical labours), that a *lusus literarum* is to the full as common an occurrence as a *lusus naturæ*; and we have been fain to square our judgment to our experience, by voting the broad folio before us to be a work "born out of time," and in undertaking which the author or compiler has committed much such another mistake as the worthy Knight of La Mancha when he took the field two or three centuries posterior to the final extirpation of his peculiar game.

That we are not altogether wrong in forming this inference, is proved by the history of the publication itself. Our *literary* Garter entered, no doubt upon the speculation with all the ardour of a green candidate emulous of a snug niche in the temple of Fame, and for a still more comfortable station near the strong-box of Fortune; warmed by the good things which fell to his share of that royal banquet the glories of which it is his enviable lot to record, and, above all, exhilarated by the refreshing sun-beams of majesty, this *favoured* servant [see his Dedication] would have considered it the height of disloyalty to foresee difficulties in the progress of the undertaking. But it was not long before a cooler calculation of the probable profit and loss warned him of the rocks and quicksands which lay directly in his path. He applied to government for aid towards the completion of the patriotic emprize; and the Treasury, with creditable tardiness and reluctance, and not without a bias from exterior influence, advanced £. 3,000 from the public funds—upon the condition, however, of being reimbursed from the proceeds of the sale, should it appear in the end that a sufficient number of individuals, whether patrician or vulgar, exist in the nineteenth century, who are willing to give forty guineas for a collection of correct likenesses of old-fashioned trunk-hose, mantles, red-heeled shoes, and other trumpery of the same description.

As humble members of the great British society—as a component part of the "brave, affectionate, and loyal people" [see again the Dedication]

—who are taxed for the purpose, among others equally laudable, of bringing this notable work into light, we feel ourselves in some degree interested in the success of the speculation. We therefore seize the opportunity of assuring such of the liberal nobility and gentry who may be inclined to be our customers, that we have seen much worse plates (although none, perhaps, so miserably coloured) than two or three of those which decorate the eight-guinea part which has already issued from the press. Of Sir George Nayler's share of the undertaking it is only necessary to give, as a specimen, the Dedication twice before referred to, and which we transcribe entire, as being a composition, in respect to its taste, grammar, sublimity, and political economy, at once unique and original.

'TO THE

MOST HIGH, MOST MIGHTY, AND MOST EXCELLENT MONARCH

GEORGE THE FOURTH,

BY THE GRACE OF GOD,

OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

KING,

DEFENDER OF THE FAITH,

KING OF HANOVER,

DUKE OF BRUNSWICK AND OF LUNENBURGH.

'SIRE;—With all humility, I presume to lay before your *Most* August Majesty an Historical Record of your Majesty's Sacred Coronation: *in the completion* of which, *I have laboured* with *the prudest* anxiety to fulfil your Majesty's Royal Commands.

'Supported by your Majesty's Government in the discharge of this honourable and gratifying duty, I have endeavoured to offer both to the present age and to posterity, a Memorial of this *most royal* and dignified solemnity, illustrated by representations of the superb habiliments which your Majesty, *not less regardful of the prosperity of your people than of the splendor of your Throne,* was pleased *to enjoin should be worn* upon the occasion, thereby affording employment to thousands of your industrious *and loyal* subjects, and rendering the solemn ceremony the most magnificent which this country ever beheld.

'That your Most Sacred Majesty may long continue to reign in the hearts of a brave, affectionate, and loyal people, is the earnest prayer of,

Sire, Your Majesty's

Favoured and devoted Subject and Servant,

GEORGE NAYLER, GARTER.'

5.—*The Writer's Clerk; or the Humours of the Scottish Metropolis.* In three Volumes, 12mo. London. 1825.

HERE are three volumes of dismal nonsense, of which the one half is Scotch, and the other not English. In the Author's preface, he seems to be afraid, that, by writing a novel, he has committed an attack upon morality and religion [p. 12] but of this we freely acquit him. We cannot, however, so easily forgive his multiplied offences against common sense and English; nor that dislocation of jaw occasioned by constant oscitation, which we have suffered during our forced perusal of his trash.

The bulk of these 1,100 mortal pages consists of the interesting adventures of sundry drunken writers' (or Scotch attornies') clerks, who have left an obscure provincial town for Edinburgh. The title of the book promises a sort of view of Scotch Society; but all the "humours of the Scottish Metropolis," are confined to descriptions of the wretched dinners and discourses, which the respectable persons above-mentioned inflict upon each other, in their apartments, *au dixième*, in the worst part of the old town. Here is a part of one of the most sensible of these dialogues:

'"Well, Master Philosopher," said James, as he entered, "what are you now about?"

'"I am reading Cicero's Orations in the original, in order that I may not forget my Latin. I finished, last night, Clark's Evidences of Christianity, which is really a most excellent work. Have you read it, James?"

'"No, indeed, I have not. Have you read Shakspeare's works?"

'"It is improper, James, to talk, at the same time, of subjects so diametrically the reverse of each other. I have read Shakspeare, but not by any means with such pleasure as I have read Clark's Evidences of Christianity, and many other excellent works."

'"You are wrong, Richard," replied James; "there is not a book in existence from which you can derive a more extensive knowledge of human nature, than from Shakspeare."

'"That is a very erroneous opinion."'

This amusing sort of writing is diversified by the unintelligible adventures of a worthy lady, whose child has been stolen by a gipsey. The Author generally *shirks* a touching scene, by saying, that it is "more easily imagined than described;" [vol. i. p. 205] or that "to paint the feelings and expressions of the parties on this occasion is utterly beyond our powers of description;" [vol. iii. page 412] but in the detail of this incident, he has now put forth all his strength: and as it is the most pathetic passage in the book, it would be unjust not to quote it.

'She traversed the room, wringing her hands and exclaiming—"Can my child not be found to me?—can none of you procure her to me?—will kind Providence not restore her to me?—oh! will none of you," said she in the most heart-rending accents, "get my child to

me? Gracious Heaven, why do you all remain here?—Husband, Richard, Hector, and all of you, go instantly and get my child; wherever she is, find her out—ask every person—search every house—go over hills and fields—examine the whole country—search the wide world—the *very depths of the ocean*—ere you return without her! Get me my child. O husband, why do you remain?—I don't want your assistance—See your daughter in the hands of a vile ruffian—an abandoned wretch. O Richard, get your sister to me—your dear Eliza! —Take her—snatch her instantly from that horrible monster—think with what cruelty she is used—hear how piercing her cries! O God! how cruel you are, that none of you will go. Then I must go myself. Oh! do not hold me—I will—I must get her out. Do you think that I can remain here and my child in such a terrible situation?" '

Having given a specimen of the Author's tragedy, we must now give a bit of his comedy, with which we shall conclude our extracts:

' " Your breakfast, sir—Mistress bade me gie you't—ye ha'e two now new-born eggs there, and they're ter'ble guid—ye ha'e twa slices o' ham, an' it's ter'ble guid—an' ye ha'e a sasenger too, an' it's ter'ble guid—an' if ye want twa or three sawt herrin' I'll soon mak' thae ready, they're ter'ble guid! Mistress tell me ye be frae Glasgow—an' I thought I wad mak' a right guid breakfast for you, for the Glasgow fouk whaun they come here are gye hungry lads." '

We cannot quit the Author of the Writer's Clerk without acknowledging how much the English language is indebted to him for the new words and modes of speech which he has introduced into it—our only fear is, that it will *sink* under its obligations to him. To "make a call"—to "write a man"—to "speak tolerably sensible"—to "pull the ears of your head"—are among this writer's new-imported graces: as are also divers other hyperborean flowers of speech; such as "dinner having been *taken*"—"*incapacitated from taking* breakfast"—"he was *keen* that I should"—"We have had an *outcast*"—"than *what* you are"—"There was one occasion that I happened"—"know *who* I have to deal with"—"I complained *for*"—"neither we nor the reader *has* any thing to do"—a *contemptible* (for contemptuous) laugh" —and "a *contemptible* dignity."—The following new words figure in this scribbler's pages: *duplicious interrogist—scrupulocity—judicatory* (for judicature)—*unmagisterial-like.* His Latin is as good as his English; "in *proprio forma*" [vol. ii. p. 219] "they were already Bacchi plen*us*."—Vol. ii. p. 332 &c. &c.

We have now, to use a favourite expression of our Author "*just about* done" but we cannot refrain from giving his character as a writer in his own words, which alone can do him complete justice: "He is below middling; his plot of the serio-comic cast; and in his dialect he labours under the inconvenience of very bad English." —Vol. i. p. 151.

6.—*A few Observations on some Topics in Political Economy.* London. Nornaville and Fell, New Bond-street. 1825.

This little work we suspect to be the production of a young man, who, having written down some remarks which had occurred to him in the course of his reading, has thought them worthy of preservation in a permanent form. And we are glad that he has thought so. He seems to be well versed in the science; and although there is no novelty in the opinions which he advances, they are supported in a manner always clear, and occasionally striking and original.

The first section is on Value. Under this head the writer examines the principal questions which relate to the exchangeable values of commodities. After shewing, that the cost of production is the regulator of value, he considers the effect of a rise of wages upon values and profits; and shews that, while it is perfectly true in general, that a rise of wages occasions a fall of profits, yet the fall of profits is scarcely ever equal to the rise of wages, but bears a greater, or a less proportion to it according as that portion of the national capital which is employed in the payment of wages, bears a greater or a less proportion to the whole. This principle has been stated before, and particularly in Mr. Mill's Elements of Political Economy, but we do not remember to have seen it any where so fully and clearly expounded.

In section second, our author considers the question, whether there can be an excess of production, and a general glut of commodities; and shews conclusively, that, though the supply of a particular commodity may temporarily exceed the demand, and may therefore be excessive, the supply of things in general never can exceed the demand; because commodities are bought with commodities, and it is one article which constitutes and measures the demand for another article.

In the third section, he points out some of the more remarkable distinctions between capital and revenue; and takes an opportunity of refuting the common fallacy about absentees, in the following instructive passage:

'There is an observation frequently made, that the number of people who spend their incomes abroad, is very injurious to the industry and wealth of this country: I allow that they may avoid paying the assessed taxes, and may, in some degree, lessen the produce of others, and therefore that the public revenue of the state, may to that extent be injured; but I do not see how the productive industry, or wealth of the country should be effected. It is the production of revenue, and not the expenditure of it, which employs productive industry, and creates wealth. If from a capital of 10,000*l.*, I derive an income of 1,000*l.* a-year, it is that capital which employs British industry, and produces my income of 1,000*l.*; but whether that income is consumed in England, France, or any other country, is quite immaterial. If I spend it in France, I exchange the produce of British capital and labour, for the produce of French capital and labour; if I buy a suit of clothes at Paris, I do not thereby employ French industry; it was the capital of the French clothier, which employed French manufacturers to make the cloth, and

it was the capital of the French taylor, which maintained his workmen while they made the suit of clothes, and for which I give a portion of my revenue derived from British capital, and British industry.

'It will not be contended, that the mode in which the remittance is made signifies, whether in gold, or any other article, for all exports from a country that does not produce gold, must be made ultimately in goods.

'Perhaps it may be said, that if I had bought the suit of clothes in London, I should have replaced the capital of an English clothier, and an English taylor. If that were so, then I should not have replaced the capital of the manufacturer who fabricated the goods, in which my revenue was remitted to France. But this idea of one man replacing the capital of another, appears to me quite erroneous; all capitalists replace their own capitals by their productions, and which they exchange with each other for their mutual advantage. A farmer with a capital of 1,000*l.* has replaced it as soon as he has raised 1,000*l.* worth of corn, exclusive of his rent; and if he raises 100*l.* worth more, he has made ten per cent profit on his capital, the whole 1,100*l.* worth of corn may be exchanged by him for the same value in goods produced by other capitalists; and in the course of the year, they will all have re-produced their own capitals, and a surplus in addition; which they may either enjoy as revenue, or employ as additional capital.'—pp. 28—30.

In the last section, entitled "The produce of Land compared with the produce of Manufacture," our author concisely and forcibly exposes the mistake of Adam Smith, and Mr. Malthus, which consists in supposing, that agriculture is an employment of capital, more advantageous to the community than any other, because it yields a rent. He shews, that this peculiarity of agriculture not only is no advantage, but is the effect of a disadvantage, viz. the limited quantity of the best land; and that if the best machines were limited in quantity, as well as the best land, they too would yield a rent.

Upon the whole, we are of opinion, that this writer is qualified to go far in the science of political economy, and we hope, that this *coup d'essai* is only a prelude to some work of greater magnitude, and more general interest.

7.—*Journal of a Residence, and Travels in Columbia, during the years* 1823 *and* 1824. By Captain Charles Stuart Cochrane of the Royal Navy. London · Colburn. 2 Vols. 8vo. 1825.

CAPTAIN COCHRANE may be, and we have no doubt is, a very capital sailor, and a very brave and enterprising man; but whatever planet ruled the ascendant when he came into the world, most assuredly Mercury was not the star that predominated over his destiny. Two large volumes more lame and impotent in their execution, more barren and trifling in all their details were never before served up by the caterers for public curiosity. It is really very lamentable to see a gallant officer, thus pushed forward as the puppet of a speculating publisher, exposing his ignorance, credulity and incapacity, and taking

upon himself the authorship of this foolish book, which, in fact, tells us nothing but how he eat and slept, and battled with musquitoes. It is not every captain of the royal navy who can, like Basil Hall, combine the scientific seaman with the accomplished writer, and the acute and philosophical observer of nature and of man. The travels of Captain Cochrane contain absolutely nothing, not a single new fact or observation of any kind whatever; his work is made up entirely of such passages as are subjoined, eked out here and there by extracts of half a score pages at a stroke from Basil Hall's Journal, or translated from some old French or Spanish travellers. Captain Cochrane is also, unhappily, a man of sentiment, affected with a *mania* for the picturesque, and talks of silvery brooks, and waving forests, with just that sort of simpering pathos, which we should expect to hear from the fat daughter of a city tallow-chandler, when, for the first time in her life, she finds herself placed out of sight of houses. But enough on this subject: the following, taken at random, are pretty fair specimens of the sort of reading contained in these volumes.

'Rose at day-light, and mounting our horses at seven o'clock, proceeded to Baranguilla, a small village about a league from Solidad, where we passed the day with Mr. Glenn, a merchant from Canada, who had been settled here eight years; a very intelligent man, and apparently making a fair fortune.'—Vol. i., p. 76.

'On this occasion I witnessed the advantage of wearing spurs, and management in riding. A race was run between two of the horses at the full-pacing speed; one of the riders wore spurs and the other had none; the former won; afterwards they exchanged horses, and the vanquished steed now became victor."—Vol. i., p. 84.

'April 1st. Tom' Fool's day, and we were really foiled and fooled completely, being unable to get boatmen and bogas, whom in this country it is difficult to procure.'—Vol. i., p. 85.

'Good-friday. Fish very scarce, and no meat allowed to be used; rather on short allowance; hoped that the fast-days would speedily terminate. Went to church about eight o'clock in the evening with Colonel Rieuex. The curate, a young man, preached with great energy and violent gesticulation in a sing-song tone.'—Vol. i., p. 80.

How very curious this information, especially when we bear in mind that it was brought from Solidad, an obscure town on the banks of the Magdalena.

'April 7. Rose at four o'clock, not much refreshed. Saw the track of an alligator within ten yards of our bed, and at thirty yards distance saw five together. Men sleeping on mats on the beach, under their toldos, have been carried off by these gentry, but we have not heard of this accident occurring to any who have slept in beds, which was our only consolation, knowing that, in all probability, the same scene would so often occur to us.'

The tedium of the Captain's journeying is occasionally relieved by such "moving accidents," and "hair-breadth escapes" as the following.

We regret that he has scattered these oases of the desert so thinly; for we question whether in the whole of the thousand or eleven hundred pages lying before us, we could pick out three other adventures equally touching and perilous.

'Slept at a cottage, where a poor young woman was suffering excruciating pain from a whitlow, which she was ignorant how to treat. I made her a poultice, with the addition of a little sweet oil, and applied it myself, giving her directions how to proceed.'—Vol. i., p. 143.

'When on the point of fording the river, a curious incident occurred; I observed a small hawk flying with a branch of a tree in his mouth, which he dropped on the bank near me and commenced eating. I immediately rode up to see what he was devouring, I discovered that it was a wasp's nest, formed in the forked point of a small branch of a tree: the hawk had by constant picking broken the branch by his beak, and had then flown with his prey to the river where he had well ducked them, for the poor wasps appeared half-drowned; and then as they commenced crawling out of their cells, the hawk ate them one by one.' —Vol. ii., p. 340.

'To add to our misery a tremendous thunder-storm came on, attended with a deluging rain. I remained for some time under a very thickly-leafed tree; my friend went on. Shortly after, I was about to follow him, perceiving that there was no prospect of an abatement of the storm, when my ears were assailed by what I imagined the hideous roar of a tiger, who appeared to have taken up his position in the very road I had to pass. The roaring approached me: I had only a pistol, and the rain pouring in torrents rendered this but of little use. What was to be done? There was no time to be lost. I turned my mule's head, and was about to retreat at a round pace, when one of my *peons* came up. I asked him what was to be done? he appeared surprised. "Have you not heard the roar of a tiger approaching this way?" I demanded of him. "Oh master," was the reply "the roaring is only that of a troop of monkeys, incommoded by the rain!"'

8.—*A Short View of the First Principles of the Differential Calculus.* By the Rev. Arthur Browne, M. A. Fellow of St. John's College, Cambridge. London. Whittaker. 8vo. pp. 198.

WHETHER we look at the celebrity of its discoverers, the subtle and mysterious character of its principles, or its uses as an instrument of scientific research, the Differential or Fluxionary Calculus, must undoubtedly be considered one of the most curious departments of human knowledge. The contributors to the development of its methods are to be found only among the very highest names; neither accident nor second-rate genius has ever accelerated its march a jot. Newton laid the foundation, promulgated its first rules, and clothed its peculiar ideas in a new algorithm. Leibnitz, who contended with Newton himself for the honour of this invention, is, at least, the discoveror of the *Method of Parameters*, one of the most efficient instruments in the hands of the modern analysts. The processes of Integration were almost entirely found out

by the Bernoullis. It was reserved for Lagrange to resume the whole science, to place it under an aspect entirely new, to divest it of all that subtility in which its principles had hitherto been enveloped, and to place them on the plain and unequivocal grounds of ordinary mathematical evidence.

To enter into satisfactory details on the several topics to which we have here adverted would be beyond our present purpose. The work which has led us into these remarks is not of that character to require any lengthened notice, and not of sufficient importance to induce us to tempt the indulgence of our readers through some twenty or thirty pages of historical deduction, or critical examination of abstract and subtle principles.

The fundamental rules of this Calculus may be derived from a variety of considerations. With Newton, we may introduce time and motion, and define fluxions by the assistance of our ordinary notions of velocity; with Leibnitz, we may consider it as a method of Infinitesimals; with D'Alembert, as a method of limits; with Euler, as a method of Vanishing Fractions; or with Lagrange, simply as a branch of Algebra. Each of these modes has its imperfections; either it is not sufficiently rigorous in point of evidence, or it is long and embarrassing in its application. The method of Leibnitz, which is logically the most imperfect, is in practice the most convenient; that of Lagrange is capable of the most exact and rigorous demonstration, and is perhaps the only one which is completely intelligible.

It is this last mode of delivering the principles of the Calculus which Mr. Browne adopts, and his treatise is, in fact, simply a commentary on the first two or three chapters of the *Théorie des Fonctions*. It treats therefore a mere fragment of the subject, but that fragment should be thoroughly understood by him who wishes to apply its principles. That object may be attained with greater readiness from Mr. Browne's book than any other with which we are acquainted, and we know not that we can bestow on it any greater praise.

Thus much for the body of the work. There is also a preliminary essay, or preface, on the influence of mathematics as a means of education. If this essay or apology for mathematics is to be accepted as a fair and average specimen of the ameliorating influence of these studies on the intellectual faculties, we think that it contains within itself a sufficient rebutment of the opinions which it advances. We cannot congratulate Mr. Browne on being "himself the great sublime he draws." Very rarely indeed has it been our lot to fall in with any thing more bald and meagre in expression, more weak, indecisive, and illogical in point of argument. The question which it treats is, nevertheless, a question of importance, and on some other occasion we may, perhaps, examine it in detail, and try whether the pretences by which Cambridge upholds the virtues of its present system will bear the touchstone of a logical examination.

ADDENDUM.

Since our article on the Law of Libel was printed off, Mr. Peel has come forward with his new measure concerning Special Juries. High as our opinion of the present ministers had previously been, this measure raises it far higher. Their commercial reforms, though of the greatest conceivable importance to the community, involved no sacrifice to themselves; as far as trade is concerned, the interest of rulers and that of the community are the same, and in serving the public they were at the same time, and to the same extent serving themselves. But there is now exhibited a phenomenon scarcely paralleled in history—a government voluntarily giving up power—a power which (in spite of the assertions of the ignorant and the interested) *was* exercised, and, till very lately, most efficiently exercised.

It is not, however, for the sake of paying the just tribute of our praise to Mr. Peel and his colleagues, that we advert to this subject at present. It is for the purpose of shewing that our arguments against the Law of Libel are in no way whatever affected by the abolition of the packing system. The spirit of the law is unaltered. All censure of rulers is illegal. True, there is now some check upon the despotism of the judge, in the verdict of an unpacked jury. But this check, what is it? The disposition which juries may occasionally have to set aside the law, and permit strictures on the government, illegal though they be, to go unpunished. It is clear from the arguments which we laid before our readers in the first article of this Number of our journal, that just in proportion as the law is acted upon, misgovernment is insured; and that the only chance for good government lies in its being set aside. That there may never more be found a jury who will convict any person accused of a political libel, is therefore our fervent wish; though we fear, from the facility with which juries so frequently suffer themselves to be either duped or brow-beaten by the judge, that our best chance is in the unwillingness which ministers themselves (to their eternal honour) have of late years evinced, to invade the right of free discussion.

END OF VOL. III.

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